

FROZEN FOODS

CONDENS

SAFETY
BELTS

FLUORESCENT
LIGHTING
(the ugliness of one's
colleagues)

FILTER CIGARETTES

AIRCRAFT
INTERIORS
(CONCORDE)
(airports)

World Briefs

4 are sentenced in synagogue fire

SCHLESWIG, Germany — Four men received terms ranging from 2½ to 4½ years yesterday for firebombing a synagogue a year ago. The attack in Luebeck drew worldwide attention and brought thousands of Germans into the streets to protest far-right violence. (Reuters)

Rabbi is jailed in racism case

JERUSALEM — A rabbi convicted of inciting racism against Arabs was sentenced yesterday to two years in prison and two years probation. Shortly after a West Bank settler killed 19 Palestinians at a mosque, Rabbi Ido Elba, a spiritual leader of extremists in the West Bank, wrote an article saying that killing non-Jews was sometimes a mitzvah, or good deed. (AP)

Guatemala case: No crime seen yet

WASHINGTON — The Justice Department has found no criminal wrongdoing so far in its inquiry into how US officials responded to two killings in Guatemala allegedly

linked to the CIA. Deputy Attorney General Jamie Gorelick said yesterday. But the inspector general has not completed his review, she said at a news conference. An FBI investigation into allegations that records on the killings were being destroyed also "should be wrapped up shortly," Gorelick said. (AP)

UN may soon let Iraq sell some oil

UNITED NATIONS — The Security Council was close to approving a deal yesterday for Iraq to sell \$2 billion in oil over six months to purchase food and medical supplies. But envoys said they did not expect the resolution to be adopted before today. Sponsors of the draft, the United States, Britain, Argentina, Oman and Rwanda, had hoped for approval late yesterday. (Reuters)

Arrests reported for Ulster arms

BELFAST — Police said they arrested several people and confiscated weapons in a security operation in Holywood, a suburb of Belfast, yesterday. A spokesman, who said the weapons were being examined, did not know if there were any political connections. (Reuters)

PLO slows the pace of crackdown on militants in Gaza

ASSOCIATED PRESS

GAZA CITY — Muslim militants accused the Palestine Liberation Organization yesterday of conspiring with Israel to "wage war against Islam." Meanwhile, divisions arose among the Palestinian police over how hard to crack down on the radicals.

To prevent more attacks, Israel said it was banning all Palestinians, even those with work permits, from entering during the week-long Passover holiday, which begins today.

The pace of Yasser Arafat's operation against militants in the PLO-run Gaza Strip slowed yesterday, with police making only six arrests.

Nearly 200 supporters of Hamas and Islamic Jihad have been detained since the fundamentalist groups claimed responsibility for two suicide bombings in Gaza Sunday that killed seven Israelis and an American student, Alisa M. Flatow of Brandeis.

Most have been released and none of those jailed were from the groups' underground military wings, which have attacked Israelis in an effort to halt Israel-PLO peacemaking.

One senior officer said Arafat had overruled his own police chief, Maj. Gen. Nasr Youssef, who wanted a harsher crackdown on hard-core activists. He said divisions were growing between Arafat and his senior commanders in the Palestinian police.

Amid joy of Passover plans, Israeli fear of more terror

■ ISRAEL

Continued from Page 1

"First, the police found a suspicious object and closed off a section of the station in order to check if it was a bomb," she recounted. "That made me uncomfortable. But then over the public address system, they kept repeating, 'Would the person who left a television by the staircase please come get it,' and I thought 'Who would leave a television in a bus station? It must be a bomb.' I freaked out. I said to my parents, 'Let's get out of here.'"

In Jerusalem's Mahane Yehuda market yesterday, the mix of fear and excitement over the precariousness of life here was also palpable. The call of a police officer over a megaphone to beware of suspicious objects was drowned out by the seditious song, "We were slaves in Egypt and now we are free" blaring from a music stand.

Moshe Yakobovitz, a 45-year-old religious teacher, buying vegetables, said: "There is less freedom this year. You go out every morning to the market and in your heart there is fear. I fear that there could be a car bomb here or a suicide terrorist there who will just pull his gun out of his bag and shoot people down until he is killed."

In Gaza, the Jewish holiday of freedom means days of virtual imprisonment because Israeli officials, worried about attacks, are closing borders from Gaza and the West Bank until Sunday. That means no income for Gaza residents who work in Israel, no produce sold outside by Gaza's farmers.

Heightened security make the export of produce difficult. A 25-pound box of Gazan tomatoes that used to fetch \$35 in Israel now gets stuck in

Gaza and sells for a dollar, since no one can pay anything approaching full price.

This leaves refugee camp inhabitants, more than half of whom are under age 15, with little to do but attend rallies sponsored by militant groups, where they express rage not only at the Israeli government but also at the Palestinian Authority of Yasser Arafat for its latest crackdown.

At one such rally on Wednesday, sponsored by Hamas at the Shati camp, more than 1,000 people turned out to honor Imad Abu Amuna, the 24-year-old Shati resident who blew himself up outside the Netzarim settlement on Sunday.

Photos of the young man adorned many a chest while Sheikh Ahmed Bahar, head of Gaza's Islamic Society, called for more martyrdom. "The Islamic movement is never afraid of their putting a rope around our necks," the sheik said.

His words were met by cheers and by the slogan, shouted in unison: "Hey, Arafat, you are not part of us. Take your dogs and get out."

All of which is leading even dovish pundits to predict the imminent death of the peace process.

As Gideon Samet, a leftist columnist for Haaretz newspaper, put it this week: "The spirit of hope has faded in the face of the growing number of graves in Israel. It is no longer a question of whether an agreement can be reached but rather of whether it is worth achieving."

"With the explosives, the nation's will power — which enabled the reversal in consciousness to talk with the PLO, to make concessions for peace, to grit our teeth and continue — is being shattered. We should become accustomed to the bitter truth. Hopes of a settlement are doomed."

Dornan enters Republican race

He decries 'moral decay'

By Bob Hohler
GLOBE STAFF

ROBERT K. DORNAN

Born: April 3, 1933

Party affiliation: Republican

Current position: Member, US House of Representatives from California, 1977-83, 1985-present.

Other public offices and campaigns: Unsuccessful candidate for Senate, 1982.

Private-sector posts: Talk show host, 1969-73; broadcast journalist, 1965-69; variety of jobs including acting, 1959-65.

Military service: US Air Force, 1953-58.

Education: Attended Loyola University but did not complete a degree program.

Family: Married to Sallie Hansen. Five children.

Fund-raising: Hopes to raise \$4 million this year.

Source: Almanac of American Politics; wires.

GLOBE STAFF CHART

WASHINGTON — Rep. Robert K. Dornan, a conservative Republican renowned in Congress for his impassioned attacks on President Clinton, abortion rights and homosexuality, yesterday formally announced he will seek the presidency to try to halt "the moral decay that is rotting the heart and soul of our country."

Dornan, 62, a former fighter pilot who has represented the heart of California's Orange County in the House for 17 years, acknowledged to a sparse crowd at the National Law Enforcement Officers Memorial that he was a longshot to win the GOP nomination.

But he vowed to advance his cause by drawing his GOP rivals into a debate on the nation's social woes.

"America is poisoning itself," Dornan said. "We are destroying this God-blessed nation, and I'm going to carry that message to as many states as I can."

A strong supporter of the US military, Dornan also asserted that the United States has "an obligation to extend liberty and freedom where we can, where we are able, even at some loss of life to our young men and women."

He dedicated his campaign "to all those friends of mine who I flew with in peacetime in the happy, innocent Eisenhower years and disappeared into the mist of Southeast Asia" during the Vietnam War.

In his largely unscripted and often rambling announcement, Dornan invoked a mass cast of histori-

cal figures, from ancient philosophers to the Founding Fathers to modern poets and politicians.

"We have a polluted public marketplace," he said. "We have a debased culture in Hollywood that ridicules and assaults religion, tears valor and hope and virtue out of our country."

He angrily criticized "the cultural meltdown" in the United States that prompts "terrorist countries" to "refer to our crime rate, our disease rate, children shooting children, pornography, the filth on the soap operas, the filth on the talk shows, the filth and blasphemous language, the debasement of our language on all of the situation comedies and on all of the TV movies, on cable television, the filth."

Dornan was born in Harlem and

raised in Hollywood, a nephew of the movie actor Jack Haley, the Tin Man in "The Wizard of Oz." He was a broadcast journalist and talk show host in Southern California before winning a House seat in 1976. He has served every term since then but one, after he ran unsuccessfully for the Senate in 1982.

Surrounded by his wife, Sallie, their five children and nine grandchildren, Dornan said he would try to dispel his image as a political bomb thrower obsessed with his noncombat Air Force service in the 1950s and the US role in Vietnam.

Dornan said he chose the law enforcement memorial to announce his candidacy out of concern over how the media would interpret the announcement if he delivered it at his first choice: the Vietnam Veterans Memorial.

"If I went where my heart tugged me, the press would say, 'Dornan can't let go; he can't forget Vietnam; he's doing this to hit at Clinton,'" he said.

The House reprimanded Dornan this year after a strident attack on Clinton in which he accused the president of giving "aid and comfort to the enemy" by avoiding the draft and visiting the Soviet Union while he attended Oxford University during the Vietnam War.

Dornan, with his distinctive red hair and volatile temperament, also has outraged abortion rights advocates, homosexuals and supporters of many liberal causes with vitriolic speeches on the House floor.

But he portrayed himself in his announcement as "a compassionate conservative."

As the seventh Republican to formally enter the race, Dornan will vie with commentator Patrick Buchanan and Alan Keyes, a radio talk show host from Baltimore, to control the right wing of the GOP.

He has scant organizations in

New Hampshire and Iowa and relatively little campaign money compared with Senate Majority Leader Bob Dole of Kansas, the front-runner in the early polls, and Sen. Phil Gramm of Texas, who enjoys the backing of many of his state's wealthiest industrialists.

But Dornan's fiery words could become headline grist, particularly in New Hampshire, where he arrives tomorrow after riding by train today from Washington to Boston. He was scheduled to spend tonight in Boston, then make appearances tomorrow at the Amos Tuck House in Exeter, N.H., where the Republican Party was founded, and at Nashua High School, where Ronald Reagan gained momentum in the 1980 campaign when he refused to bow out of a debate.

Praising New Hampshire's motto, "Live Free or Die," Dornan said he will discuss "moral decay" and "the pending financial disaster" created by the national debt when he tours the Granite State on "Income Tax Day," April 15. He said he will call, as he did yesterday, for instituting a flat tax and abolishing the Internal Revenue Service.

But it is the social issues, particularly morality and religious expression, that Dornan is expected to emphasize. When he was 19 and in his first week of training to become a fighter pilot, he said, he inscribed his study binder with the last line of the Declaration of Independence: "With a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

Yesterday, Dornan suggested he will wage a mighty struggle to try to restore those virtues in American society.

"I'll probably die with my boots on," he said. "I want to go down swinging."

'Help me participate in this great debate'

WASHINGTON — The following are excerpts from Rep. Robert K. Dornan's announcement in Washington yesterday that he is seeking the Republican nomination for president.

Today, Thomas Jefferson's birthday . . . I am humbled to announce my declaration for the Republican nomination for the presidency of the United States of America.

We have the focus of the Grand Old Party on this debt, on our deficit spending, on oppressive tax increases . . . We will save our country billions of dollars in lawyers and tax accountants. And we can get it done with a consumerism tax, where the rich will pay more because they garner unto themselves more goods, more stuff, more things. And the poor — we can set a level of even a cutoff in other areas of service taxation.

We have a debased culture in Hollywood that ridicules and assaults religion, tears valor and hope and virtue out of our country . . . We are going to discuss the morality of our beautiful country. We have a cultural meltdown.

Faith. Without faith what does a people have?

Family. That's the one I'm going to accentuate and why I'm proud to have my beautiful extended family with me here today.

And freedom. And it's not just freedom for this country. I say to other friends in this primary process, we have an obligation to extend liberty and freedom where we can, where we are able, even at some loss of life to our young men and women. We must extend democracy, freedom and virtue wherever we can around the world.

But remember this: When other

terrorist countries refer to the United States as The Great Satan and point out our crime rate, our disease rate, children shooting children, pornography, the filth on the soap operas, the filth on the talk shows, the filth and blasphemous language, the debasement of our language on all of the situation comedies and on all of the TV movies, on cable television, the filth — when I spoke to the CEO of one of America's greatest networks and asked him why as an Irish Catholic he couldn't stop the filth, why I couldn't let my children watch his network, all this great Irish American could say to me with his millions of dollars and private jets and country club memberships and gated communities and special lounges at airports and railroad stations, he said to me, "Congressman, things have sure changed."

Well, yes sir, Thomas, they have changed. And we're going to change them back. We're going to restore the American dream.

If someone is not publicly indignant about the bankrupt policies of this, the richest country ever, destroying the American dream economically, and if somebody is not publicly indignant and saying "Stop this," with our cultural meltdown and moral decline, then I'll show you somebody who doesn't understand the facts, I'll show you somebody who's a bystander watching the destruction of their country.

Come with me. At least wish me well and watch me, and help me participate in this great debate. I'll probably die with my boots on . . . I want to go down swinging.

NN + MM

New Novel and Miscellaneous
Material

Public Still Backs Legal Abortion, but With Conditions Like Limited Access, Poll Says

Continued From Page A1

now at 22 percent.

The public's attitude toward abortion largely lines up with President Clinton's phrase that abortions should be "safe, legal and rare," said Elizabeth Adell Cook, a professor of government at the University of Maryland and co-author of "Between Two Absolutes" (Westview Press, 1992), an analysis of public opinion on abortion.

Studies indicate an emerging consensus that "it should be allowed under some circumstances but it isn't to be taken too lightly," Dr. Cook said in an interview Wednesday. "People think if there's a serious enough reason, it's O.K., but if they don't think the reason is compelling enough, they think it's wrong."

That willingness to judge applies even close to home, the poll found. Among the 59 percent of respondents who said someone they knew well had undergone an abortion, 30 percent said they thought it was the right thing to do, but 24 percent said they believed it was wrong.

At work is the search for a compromise between two views — that abortion is murder and that it is a woman's right — that seem absolutely contradictory and yet so powerful that they often coexist within the same person.

In responses so paradoxical that they astound even experts like Dr. Cook, one third of the poll's respondents who said they considered abortion to be murder also agreed that abortion is sometimes the best course in a bad situation.

As the 25th anniversary of Roe v. Wade approaches, 60 percent of the poll's respondents said they thought the ruling, which established a woman's constitutional right to abortion, was a good thing.

But many had to be told first what the decision entailed. Despite the decades-old fervor surrounding the abortion debate, nearly 45 percent of those asked the status of abortion law either gave the wrong answer, said they did not follow the issue enough to know, or simply gave no answer.

That could be in part because the picture has become more complicated since Roe v. Wade. In 1989, another Supreme Court decision permitted states to whittle away at the edges of Roe v. Wade by passing restrictions on abortion like a 24-hour waiting period. More than 30 states have passed such laws.

The Times/CBS News Poll indicates that those new state laws tap a significant vein of public opinion. Nearly 80 percent of respondents supported both parental consent and waiting periods.

In general, however, the abortion

issue seems to have only limited political resonance these days. Just over half the respondents said they did not think it necessary to know a public official's position on abortion.

Such indications that abortion is becoming less of a political issue and more of a private, moral one jibe with the belief expressed by nearly 60 percent of those polled that the Government should stay out of decisions on whether abortion should be legal. And the idea of a constitutional amendment banning abortions appears supremely unpopular: more than three-quarters opposed it.

Roger Rosenblatt, an essayist who distilled the "permit but discourage" idea in his book, "Life Itself: Abortion in the American Mind," (Random House, 1992) said it was to be expected that the American public would move toward limiting abortion — but only in the moral arena, not the political one.

"Sooner or later you're going to have a system where you say, 'One simply doesn't do that, one simply doesn't cavalierly have an abortion,'" he said in an interview yesterday. "It's not against the law, but one simply doesn't do it, or if one does it, one recognizes the moral digression."

The question of whether women often have abortions "cavalierly" appears to be having a powerful influence on changes in attitudes.

Among people polled who offered a reason for why most women have abortions, 49 percent said that reason was not serious enough to justify an abortion, up from 41 percent in 1989.

Along those same lines, sympathy has dwindled for women who seek an abortion because they do not want to marry the father. In 1989, 50 percent said they did not think such a woman should be able to get a legal abortion; now, 62 percent hold that position.

Those and other findings appear to indicate that the country's growing experience with legal abortions — more than 1 million are performed each year — is not leading to growing sympathy or acceptance.

"It's too easy an out for these women," said Sharon Paasch, 44, a records clerk in Caledonia, Wis., in a follow-up interview after the poll. "I don't think they're accepting the responsibility of sex before they have it. If you're going to have sex, you better prevent having a baby if you don't want it. I think you should accept the responsibility and the consequences of your actions, and not look to being bailed out by having an abortion afterwards."

Neither age nor a person's sex appeared to have an effect on people's current views on abortion.

In contrast, people's attitudes toward abortion appeared to depend so

How the Poll Was Conducted

The latest New York Times/CBS News Poll is based on telephone interviews conducted Jan. 10 to 12 with 1,101 adults throughout the United States.

The sample of telephone exchanges was randomly selected by a computer from a complete list of more than 42,000 active residential exchanges across the country.

Within each exchange, random digits were added to form a complete telephone number, thus permitting access to both listed and unlisted numbers. Within each household, one adult was designated by a random procedure to be the respondent for the survey.

The results have been weighted to take account of household size and number of telephone lines into the residence and to adjust for variations in the sample relation to geographic region, sex, race, age and education.

In theory, in 19 cases out of 20 the results based on such samples will differ by no more than three percentage points in either direction from what would have been obtained by seeking out all American adults.

For smaller subgroups the potential sampling error is larger. For example, for women as a group it is plus or minus four percentage points.

In addition to sampling error, the practical difficulties of conducting any survey of public opinion may introduce other sources of error into the poll. Variations in question wording or the order of questions, for instance, can lead to somewhat different results.

That looming gap helps explain why the opponents of abortion have chosen a form of abortion they refer to as partial-birth abortion as a rallying point in Congress.

While the emphasis on partial-birth abortion has worked as a political tactic, however, it does not appear to have penetrated far into the national consciousness. A majority had heard nothing or not much about the partial-birth debates.

As for the current effort by some anti-abortion Republicans to convince the party that only candidates who support a ban on partial-birth abortions should receive campaign money, Republicans who were polled opposed the idea while 43 percent supported it.

In general, Republicans were likely to think the party should oppose legal abortion than support it. Thirty-seven percent endorsed its opposition while 26 percent thought the party should support legal abortion.

Democrats who were polled, meanwhile, strongly backed their party's support for legal abortion.

But about one-third of both Democrats and Republicans thought their issue, once again showing an unwillingness to turn abortion into a political issue. And even a politician with President Clinton's approval ratings — generally well above 50 percent on issues like the economy and foreign policy — gets caught in the divide on his handling of abortion, while 29 percent disapprove.

The importance of timing also appeared to bode well for public acceptance of new techniques that allow a woman to end a pregnancy much earlier than before.

People know little about "morning-after pills," hormones that women can take up to 72 hours after sex to prevent a fertilized egg from developing, the poll found. But 65 percent of respondents said they would be likely to consider them a form of birth control rather than abortion. Less than one-fifth said they would consider use of the morning-after pills to be a form of abortion.

Similarly, respondents appeared receptive to the idea of a drug-induced abortion, now possible in the first seven weeks of pregnancy using a combination of drugs called RU-486, as an alternative to surgical abortion. Though nearly 70 percent said they had heard little about RU-

486, 50 percent said they would favor its use as an alternative to surgical abortion, while 36 percent said they would oppose it.

Several aspects of American popular thinking on abortion appear to directly defy the work that advocates on both sides of the issue have been doing for so many years. Neither side of the fight has capitalized on the public's concern with the timing of an abortion — abortion rights advocates because they focused mainly on the sanctity of a woman's right to choose, and abortion foes because they focused on the sanctity of the life of a fetus of any age.

If advocates on both sides have made little progress, it could be partly because of their image. Forty-four percent of respondents said they thought the anti-abortion advocates in their states were extremists, the same level as in 1989. Their image of abortion rights advocates, always somewhat better had slightly improved. In 1989, 57 percent said they thought most abortion rights advocates in their state were reasonable; that rose to 66 percent in 1998.

The closest thing the American public comes to a consensus on abortion is in its predictions on the intractability of the conflict. A whopping 88 percent said they did not believe the disagreements between supporters and opponents of legal abortion would ever be resolved.

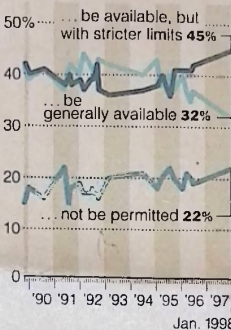
"It's not an issue that's necessarily based on black and white facts," said Rick, a 41-year-old engineer in Blue Rock, Ohio, who asked that his last name be omitted. "It's a moral decision and I don't think the two sides will ever come together."

The Great Mink Sale



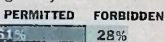
Public Still Backs Abortion, But Wants Limits, Poll Says

Abortion should ...



Should a woman be permitted or forbidden to have an abortion during the ...

... first three months of pregnancy?



... second three months?



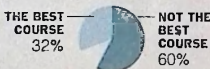
... last three months?



Is abortion the same thing as murdering a child, or is abortion not murder because the fetus really isn't a child?



Asked of those responding "murder": Do you agree or disagree that abortion is sometimes the best course in a bad situation?



Is abortion more of an issue involving a woman's ability to control her body or an issue involving the life of a fetus?



The New York Times/CBS News Poll

A Notable Shift From General Acceptance

By CAREY GOLDBERG
with JANET ELDER

Twenty-five years and nearly 30 million abortions after the Supreme Court's landmark Roe v. Wade decision, the American public still largely supports legalized abortion but says it should be harder to get and less readily chosen, the latest New York Times/CBS News Poll shows.

At base, the country remains irreconcilably riven over what many consider the most divisive American issue since slavery, with half the population considering abortion murder, the poll found. Despite a quarter-century of lobbying, debating and protesting by the camps that call themselves "pro-choice" and "pro-life," that schism has remained virtually unaltered.

But beneath that basic divide, public opinion has shifted notably away from general acceptance of legal abortion and toward an evolving center of gravity: a more nuanced, conditional acceptance that some call a "permit but discourage" model.

Almost half of those polled said it was too easy to get an abortion these days. Public support for legal abortion plummets from 61 percent if it is performed in the first three months of a woman's pregnancy to only 15 percent in the second three months. And a few reasons sometimes given for choosing abortion have become less persuasive.

In 1989, for example, when people were asked whether a pregnant woman should be able to get a legal abortion if her pregnancy would force her to interrupt her career, 37 percent said yes and 56 percent said no; in 1998, only 25 percent said yes and 70 percent said no. Similarly, in 1989, 48 percent thought an interrupted education was enough to justify a teen-age girl's abortion; that dropped to 42 percent this year.

Support remained overwhelming, however, for women who sought abortions because they had been raped, their health was endangered, or there was a strong chance of a defect in the baby.

The survey, which was the first New York Times/CBS News Poll devoted to abortion since 1989, was based on telephone interviews conducted Jan. 10 to 12 with 1,101 people around the country and had a margin of sampling error of plus or minus three percentage points.

Overall, since 1989 supporters of generally available legal abortion have slipped from 40 percent to 32 percent and the ranks of those who say it should be available but stricter have increased to 45 percent from 40 percent. The contingent who said abortion should not be permitted comprised 18 percent in 1989 and is

Continued on Page A16

Clinton Would End Amtrak Subsidies, Senators Complain

By DAVID STOUT

WASHINGTON, Jan. 15 — The Clinton Administration has tentatively decided to cut off all operating subsidies for Amtrak in the next Federal budget, a move that would threaten the future of the passenger-railroad network, six Senators said today.

In an angry letter, the Senators, all from the Northeast, accused President Clinton of backtracking on his pledges of support for the system. Amtrak is getting \$344 million in operating subsidies in the current fiscal year and had sought \$376 million in the one that begins on Oct. 1.

The Senators said the Administration's proposal, if enacted, would leave the struggling railroad network "woefully short of money and unable to continue operating as planned" and would undermine ef-

Surprising Theory On the Body Clock: Illuminate the Knee

By SANDRA BLAKESLEE

In an experiment from the strange-but-possibly-true category, scientists have shone a bright light on the backs of human knees and, in

"All the News
That's Fit to Print"

The New York Times

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76 cents beyond the greater New York metropolitan area.

50 CENTS

New York: Today, morning showers, then cloudy. High 78. Tonight, a stray shower. Low 71. Tomorrow, afternoon showers. High 83. Yesterday, high 87, low 71. Details, page B11.

Shake-Up at Treasury Is Called Likely Result of Whitewater Rift

Conflicting Accounts on White House Contacts

By STEPHEN LABATON
Special to The New York Times

WASHINGTON, July 27 — The Whitewater hearings have created a bitter rift between the Treasury Secretary, the Deputy Secretary and the department's top lawyer that officials said today would almost inevitably lead to a shake-up at the department.

The three officials have provided investigators with conflicting accounts of their roles concerning contacts with the White House about the Whitewater case. As word of the discrepancies have filtered out in recent days, tensions within the Treasury Department have deepened to the point where the lawyer and her clients deeply distrust one another, Administration officials said today.

The conflicts involve Secretary Lloyd Bentsen, the former Senator from Texas who has sought to put

himself above the Whitewater fray; Deputy Treasury Secretary Roger C. Altman, a college friend of President Clinton who was seen as a likely successor to Mr. Bentsen until Whitewater exploded, and the general counsel, Jean E. Hanson, a Minnesota native and Washington newcomer who friends say is feeling increasingly isolated as the two others deny her version of events.

Administration officials said that Mr. Bentsen was also displeased with Mr. Altman's handling of the case, but that for now, he is offering him at least a modicum of public support. They said that the Treasury Secretary was awaiting the outcome of the Congressional hearings and a review of the Office of Government Ethics before deciding whether to ask Mr. Clinton to dismiss his old friend.

Next week, the three officials will appear before the House and Senate Banking Committees. One person involved in the proceeding likened the preparation for the hearings to getting ready for a civil lawsuit.

Until Whitewater threw it off balance, Treasury had been the most trouble-free of the Administration's major Cabinet departments, and Mr. Bentsen and Mr. Altman both played significant roles in pressing a number of Mr. Clinton's top priorities, like the budget and the North American Free Trade Agreement.

Howard Schloss, a Treasury spokesman, acknowledged the differing accounts of what occurred, but said that the Whitewater controversy had taken no toll on the department's day-to-day operations.

But a senior Treasury official not involved in the case gave a different picture of the mood on the department's executive floor.

"It is very, very cool and formal on the third floor right now and everybody is distracted," said the official, who insisted on anonymity. "The feeling is that there is a deep rift that simply cannot be healed."

At issue is a series of events involving Ms. Hanson and Mr. Altman in his role at the Resolution Trust Corporation, the independent agency overseen



A tractor-trailer hauling propane crashed into an overpass on Interstate 287, the Cross Westchester Expressway, at 12:35 A.M. yesterday. ① It hit two supporting columns of the overpass. ② The tank, propelled by propane, landed north of the highway,

over 100 yards away, destroying at least two homes. ③ The tractor blew up under the overpass and parts of it landed a quarter of a mile down the expressway. ④ A home south of the highway was destroyed by a fireball from the explosion.

Keith Meyers/The New York Times

State Says Giuliani's Budget Leaves a Gap of \$600 Million

By STEVEN LEE MYERS

Three days after Mayor Rudolph W. Giuliani ordered up to \$450 million in contingency cuts in the city's budget, the State Comptroller issued a stern critique of New York City's finances yesterday that concluded that the Mayor had still not done enough to avert a budget crunch in the coming months.

In a report that tempered enthusiasm for some of the Mayor's initiatives with criticisms of others, the Comptroller, H. Carl McCall, said the budget still included a gap of more than \$600 million, caused by the failure to account for spending on things like overtime and pensions.

The Comptroller's report also identified another \$150 million in risks

sions from the city's municipal unions.

Mr. McCall said the city's budget problems had not been this severe this early in a fiscal year since the city regained full control of its budgets from the state's Financial Control Board in 1986, during the economically robust years under Mayor Edward I. Koch. And he warned that the city's fiscal position could worsen if the Mayor did not move quickly to plug the hole.

"If the Mayor doesn't close the gap with actions that produce recurring savings, the city will face larger gaps in future years," Mr. McCall said.

The report by Mr. McCall — a

Fiery Explosion Of Tanker Puts 23 in Hospitals

By JAMES BARRON
Special to The New York Times

WHITE PLAINS, July 27 — A tractor-trailer slammed into a bridge over an expressway here early today, hurling a blazing propane tank through the air like an out-of-control missile and setting off fires that injured 23 people as flames leaped from house to house.

The driver of the tanker truck died in the bizarre middle-of-the-night accident, which left thousands of rush-hour commuters facing traffic nightmares this morning and raised questions about what happened and why. Investigators struggled to answer

U.S. IS CONSIDERING A BASE IN RWANDA FOR RELIEF TEAMS

MAY DEPLOY 3,000 TROOPS

But Limited Role Would Not
Include Peacekeeping, as
the U.N. Is Advocating

By ERIC SCHMITT
Special to The New York Times

WASHINGTON, July 27 — The United States is preparing to send troops to help establish a large base in Rwanda to bolster the relief effort in the devastated African nation, Administration officials said today.

Setting up a staging area in the capital, Kigali, would mark an important new phase, committing American troops in Rwanda for the first time. Military officials said 2,000 to 3,000 troops could be sent into Rwanda, in addition to the 4,000 that Washington has said would join relief efforts outside the country.

President Clinton's senior foreign policy advisers discussed the plan at the White House today but delayed approval. One Administration official said the White House may not decide until Defense Secretary William J. Perry visits the region this weekend.

But other Administration officials said the White House was inclined to go ahead in a few days if several conditions were met. Military engineers must still assess the serviceability of the battle-scarred airfield in Kigali. Assuming it can be used, American officials would have to obtain the permission of the victorious Rwandan Patriotic Front, and assurances that the front would guarantee the safety of a small but growing stream of refugees returning home.

United States diplomats and military officers said today that discussions with the Kigali Government had been "very positive."

Administration officials said they also needed to consult with Congressional leaders and assure them that Washington would expand the relief operation in Rwanda only if other

HOUSE APPROVES DESERT PRESERVE

Big Step for Plan to Create a Vast Park in California

By KATHARINE Q. SEELYE
Special to The New York Times

WASHINGTON, July 27 — After two months of wrangling and fitful debate, the House voted today to designate 9.4 million acres of California desert as national park land and preserves. Since the Senate has already passed a similar bill, the House action virtually guarantees that the legislation will become law later this year.

The California Desert Protection Act, which passed 298 to 126, is the largest land-conservation measure approved since the 1980 Alaska Lands Act. The desert region includes 90 mountain ranges, sand dunes as high as 700 feet, Indian rock paintings, the

Joshua trees, the only known dinosaur tracks in California and more than 2,000 species of plants and wildlife, including the endangered desert tortoise.

"We've done the people of California a great favor, and it's a great gift for future generations," said Representative George Miller, the California Democrat who maneuvered the bill through the House. "To think that we would be able to designate these parks in 1994 in what is essentially an urban state, California, is really a remarkable feat."

The House's action today was a big victory for environmentalists, who, though unhappy with some amendments, made protection of the starkly beautiful desert area a prime goal.

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INSIDE

Radical Muslims Suspected

Israeli officials asserted that a recent campaign of bombings directed at Israeli and Jewish targets was the work of radical Muslim fundamentalist forces. An Argentine investigator questioned two Iranians. Page A10.

Overhaul Urged for Police

New York City's Police Department needs major changes at all levels from beat patrol to headquarters, a series of highly critical internal reports have concluded. Page B1.

Serbs Attack U.N. Convoy

A week after rejecting a peace plan, Bosnian Serbs attacked a United Nations convoy outside Sarajevo, killing a British peacekeeper. Later they fired at French forces. Page A3.

Combat Posts for Women

The Army plans to open to women many combat positions now closed to them, but protests by generals killed a more ambitious plan. Page A12.

Japan Negotiating Ford Loan

The Export-Import Bank of Japan is negotiating a huge loan to the Ford Motor Company to help build cars for export to Japan. Page D1.

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Jailed, Turncoat at C.I.A. Tells of a Long Betrayal

By TIM WEINER

Special to The New York Times

WASHINGTON, July 27 — On a night in Rome in October 1986, Aldrich H. Ames of the Central Intelligence Agency knocked back a stiff drink, pulled a baseball cap low over his face and went to meet his case officer from the Soviet intelligence service, the K.G.B.

In the attic of the Soviet Embassy's residential compound there, the K.G.B. man, Vladimir, opened a bottle of vodka. Over the first of many glasses, he and Mr. Ames discussed their hunch that the C.I.A. knew it had a traitor within. Vladimir was worried: How could Moscow and its mole mislead the agency? How best to divert attention from Mr. Ames?

Mr. Ames made no special effort. Sitting in the Alexandria, Va., jail where he is serving the first days of his life sentence, recounting that night in Rome and other tales from his years as a turncoat, Mr. Ames said there was no point in trying to hide. He was convinced that "once there was a serious look at me, virtually no measure I took would be proof against that investigation."

But that serious look would not come for seven more years.

The C.I.A. is still trying to assess the damage done by the most destructive mole in its history. But it is clear from extensive interviews with Mr. Ames and Federal officials that the damage transcended the immediate: Moscow's execution of perhaps a dozen Soviet double agents who had worked for the United States and the loss of hundreds of classified reports. Beyond that, the morale of the nation's chief intelligence agency has been dealt a lasting blow by its failure, for nearly a decade, to uncover a brazen, bungling mole.

A pale, grayling man of 53, wearing ill-fitting prison cover-



Ira Schwarz/Reuters-Bettman
Aldrich H. Ames concedes that in spying for Moscow, he was motivated chiefly by greed.

Betrayer's Tale

A special report.

alls and high-topped sneakers, Mr. Ames talked for eight hours about his betrayals, about the ease with which he slipped reams of secrets to the K.G.B. and about his steady promotions to sensitive posts despite his superiors' knowledge of his heavy drinking, financial troubles, erratic work and odd views.

Mr. Ames, arrested in February, has been telling his story to the C.I.A. and the Federal Bureau of Investigation as part of a plea

Continued on Page B10, Column 3



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assumptions or initiatives that have not yet come to pass, including increases in Federal aid and conces-

test this fall — is the first of three to be issued this week by the city's fiscal monitors. All are expected to point out serious risks in the Mayor's \$31.6 billion budget, which was adopted by the City Council in June and took effect with the new fiscal year on July 1.

The state's Financial Control Board and the City Comptroller, Alan G. Hevesi, are to release similar reviews of the Mayor's budget today. Their reports are expected to identify as much as \$1 billion in risky assumptions or initiatives and also to call for more steps to avert a shortfall.

The State Comptroller has no power to change the city's budget. But his critique, like those of the other fiscal monitors, is likely to influence Wall

Continued on Page B8, Column 1

skid marks and surveyed twisted truck parts that landed on side streets.

Law-enforcement officials said the driver, Peter G. Conway, 23, had a long record of driving violations, including a conviction for driving while impaired that stemmed from a drunken-driving charge. And he worked for a company that the state had repeatedly fined for failing to inspect its equipment as required by law. [Page B6.]

After the truck skidded and crashed in a squeal of tires and a surreal white-hot flash, officials blocked off the road, Interstate 287, the Cross Westchester Expressway. It is one of the major east-west arteries north of New York City and nor-

Continued on Page B7, Column 1

countries joined.

"There's great skittishness about sending troops anywhere right now," said one Administration official. "So we don't want to just say 'Yes' until everything is nailed down."

Under the plan, several thousand troops from the United States and other countries would unload supplies and equipment at Kigali and transport them throughout the country to encourage some two million refugees to return home.

"It's an excellent idea, but it's a complex idea," Secretary Perry told reporters today. "There's just an obvious advantage to being there in terms of a location and proximity to the areas where the relief is needed. And what we're looking at now are logistics and engineering factors

Continued on Page A9, Column 1

For Rwandan Refugees, Another Day of Death

By RAYMOND BONNER

Special to The New York Times

KIBUMBA, Zaire, July 27 — There is no "Day in the Life of a Refugee Camp" story. There is only another day of death.

Eleven-year-old Uwizeyimana sat on a bit of high ground. She held an umbrella in her right hand, tilted to provide shade for the little girl she held in her arms. The child appeared to be sleeping.

"This child is just now dead," Uwizeyimana said as a tear streaked the dirt on her cheek.

Uwizeyimana's brother, Innocent Munyarugamba, came up. "I have just taken my wife to the hospital," he said, referring to the tents where medical workers were treating patients with cholera and dysentery.

It was then that he found his daughter Twizerimana dead in Uwizeyimana's arms.

"She was going to be baptized next month," he said as he wrapped her in a blue blanket and prepared to take her to the side of the road, where several hundred corpses were piled, waiting to be picked up. On the 30-mile stretch of road between Goma and Katala — Kibumba is about half way — there were more than 2,000 bodies today, many of them on the asphalt itself.

"I had only two children," Mr. Munyarugamba said. His other daughter, 5 years old, disappeared two weeks ago, when the family, which had been on the run for a month, passed into Zaire.

Mr. Munyarugamba sat on the ground with all of his possessions — one shallow green plastic bucket, the



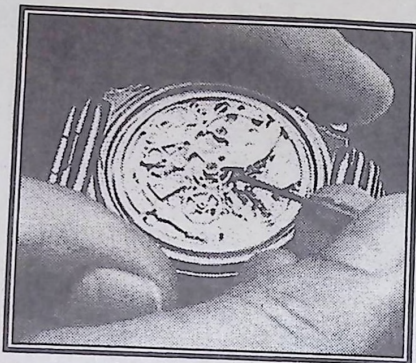
Tim Zienbach for The New York Times

One-year-old Twizerimana lies dead in the arms of her 11-year-old sister, Uwizeyimana, in a Rwandan refugee camp at Kibumba, Zaire.

Continued on Page A8, Column 2



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A Russian Pyramid Collapses, Burying Belief in Capitalism

By MICHAEL SPECTER

Special to The New York Times

MOSCOW, July 27 — Driven by equal doses of panic and greed, thousands of investors swarmed stock exchanges, offices and the headquarters of Russia's largest stock fund today, desperately trying to sell the company's shares, which have lost half their value in less than a day.

With at least five million shareholders, the company, MMM, had become the most visible, and aggressive symbol of the rowdy new capitalism here, churning profits seemingly out of air, and turning everyone from penny-pinching grandmothers to college kids into stock market addicts.

In the process, the company's outspoken chief, Sergei Mavrody, turned himself into a populist icon: a man who promises to deliver a piece of the good life to anyone willing to risk a little money to get a lot more back. He considers his investors a "political force," and says their growing power rivals the Kremlin.

That was before Tuesday, when the company abruptly refused to buy any of its own shares at dozens of offices throughout Moscow. This evening, every Moscow news show was filled with news of MMM and the possibility that its magic was made only with smoke and mirrors.

Investors Camp Out

"How could I not invest in this company?" asked one forlorn woman, Galya S. Bondaryan, who like hundreds had slept on the company's grounds Tuesday night in an effort to be one of the few who could sell her shares back today. "They promised everything. And it seemed like they were going to be honest. I thought this was how the stock market worked."

Unfortunately her confused understanding of capitalism and her attraction to seemingly impossible returns on investment are still common in Russia. And beneath MMM's lucrative veneer and behind the ubiquitous television ads that promise apartments in Paris and vacations in San Francisco, the company is nothing but a classic, and monumentally huge, pyramid scheme. Aware that its collapse could do irreparable damage to the fragile image of a free market, Russian leaders, including

President Boris N. Yeltsin and Prime Minister Viktor K. Chernomyrdin, have begged people to find another place to put their funds.

They and most other political leaders here — from right-wing nationalists like Vladimir V. Zhirinovskiy to liberal reformers like Yegor T. Gaidar — have denounced the potbellied, lascivious stars of MMM's advertising campaign. The two middle-aged men, who are always pictured on television lounging in foreign capitals swilling beer, have become heroes.

"People don't want to believe that this firm is built on air and is going to collapse," the newspaper Izvestia said in an editorial today. "All they want to hear is that the value of their shares will grow every day no matter what. They want to believe that MMM has never in any way tried to deceive them. Its always easier to blame these problems on the Government."

Warnings on Other Companies

But the warnings of doom have been sounding with increasing frequency lately, not only about MMM but other, similar companies as well. Many well known economists and Government officials have predicted that further investment in these elaborate schemes could not only ruin the economy but destroy any hope of generating confidence in capitalism.

"Companies like MMM siphon enormous amounts of money from credulous people," Andrei Koshevarov, head of the Ministry of Finance's department that oversees stock markets, told the Itar-Tass news service today. "The campaign by MMM has assumed all the signs of financial drug addiction. Original investors are dividing the money invested by those after them."

That, of course, is what a pyramid scheme is all about. Each new round of investors supplies the money for the previous group. Such schemes offer higher and higher returns to lure new investors. Shares that cost 1,600 rubles in February (then worth about a dollar) had climbed to 105,000 (about \$50) on Monday.

By today, however, shares were back to 13,000 rubles (a little more than \$6) and rumors spread rapidly across Moscow that the company was on the verge of collapse.

News Summary

International

A2-10

U.S. PLANS BIG BASE IN KIGALI

The United States is preparing to send troops to help establish a big base in Rwanda to bolster the relief effort there. Military officials said 2,000 to 3,000 troops could be sent into the country, in addition to the 4,000 that Washington has said would join relief efforts outside Rwanda. A1

The United Nations wants American soldiers to bury bodies in Zaire. A8

DEADLY ORDEAL FOR RWANDANS

More than 2,000 bodies are visible on a 30-mile stretch of road in eastern Zaire, the main link between a relief distribution point and two camps teeming with Rwandan refugees. Rwandan children cling to the bodies of loved ones lost to cholera, dysentery and exposure. A1

SERBS ATTACK U.N. CONVOY

A week after rejecting a peace plan, Bosnian Serbs attacked a United Nations convoy as it approached a road into Sarajevo. One British peacekeeper died and one was wounded. Serbs also fired at French peacekeepers who raced to the scene. A3

WANTED: BERLUSCONI'S BROTHER

Italian magistrates issued an arrest warrant for the brother of Prime Minister Silvio Berlusconi in a widening corruption scandal. The affair involves dozens of Italian businessmen and Government tax inspectors

accused of trading bribes for lenient or fraudulent tax audits. A3

KOREAN SAYS NORTH HAS 5 BOMBS

The South Korean intelligence agency presented what it described as a high-level North Korean defector who said that the north had five nuclear bombs and might develop five more. Diplomats and experts expressed deep skepticism. A7

FRENZIED RUSSIAN STOCK SELLOFF

Investors swarmed stock exchanges, offices and the headquarters of Russia's largest stock fund, MMM, desperately trying to sell the company's shares. The stock lost half its value in less than a day. A2

AN ISRAELI THEORY ON BOMBINGS

Israeli officials asserted that a recent terrorist bombing campaign directed at Israeli and Jewish targets in Britain, Argentina and Panama was the work of radical Muslim fundamentalist forces. A10

A judge questioned two Iranians in a bomb attack in Argentina. A10

After a second blast in London, Israelis faulted British security. A10

Hundreds of U.S. military advisers are helping Cambodia's Army. A6

Republicans gathered to condemn Bill Clinton's foreign record. A10

Dhaka Journal: Two women dominate Bangladesh's politics. A4

National

A12-20, B9-10

SHAKE-UP AT TREASURY LIKELY

The Whitewater hearings have created a bitter rift between the Treasury Secretary, the Deputy Secretary and Treasury's top lawyer. A1

HOUSE PASSES DESERT BILL

The House voted to designate 9.4 million acres of California desert as national park land. The Senate has already passed a similar bill. A1

A BRAZEN, BUNGLING MOLE

Interviews with Aldrich Ames and Federal officials suggest that the damage done by Mr. Ames may go far deeper than the loss of a dozen Russian double agents. A1

MORE COMBAT ROLES FOR WOMEN

The Army plans to open many combat positions now closed to women, though protests forced a retreat from a more ambitious plan. A12

DEAD HORSES AND MISSING HEIRESS

Among 23 indictments obtained against prominent members of the show horse world, is one dealing with the disappearance of a Helen Voorhes Brach in 1977. A12

FUSING MANY BILLS INTO 2 BILLS

Democratic leaders neared the end of their efforts to turn measures passed by committees into final bills for the Senate and House. A20

KEEPING AN ISSUE'S PROFILE HIGH

The advocacy group Families USA has played an important behind-the-scenes role as the White House's de facto public relations manager for an overhaul of health care. A20

A lack of cross-disciplinary studies is cited in slow AIDS research. A18

Curbs are asked on U.S. inquiries into mental-health histories. A18

The Moe Ginsburg Summer
SALE

House Approves Measure to Establish Vast New Park in the California Desert

Continued From Page A1

Environmentalists win a 15-year debate over a fragile ecosystem.

They contended that the East Mojave area in particular was threatened by off-road vehicles, mining and grazing, and other activities.

The protected area cover more than one-third of the total 25-million acres of California desert. The bill expands the existing Death Valley and Joshua Tree National Monuments and elevates them to national park status, which means it would take an act of Congress to alter their boundaries or change them in other ways. The bill also creates a new Mojave National Preserve, a lesser designation that allows activities like hunting, trapping and fishing. To win passage, the bill was amended to allow off-road vehicles in some areas as well as grazing and mining to continue where they occur now.

The Senate approved a similar bill 69 to 29 in April, and the Clinton Administration strongly backs the measure. The House and Senate versions differ in two main ways: the House allowed hunting in the East

Mojave Scenic Area, which the Senate did not, and the House would protect 231,000 more acres of the Mojave, known as Lanfair Valley, than the Senate bill would. The differences will have to be reconciled in conference, but Mr. Miller was confident that would occur soon. Asked if the bill would become law before the end of the year, he said, "You betchya!"

Today's action marks a personal victory for Senator Dianne Feinstein, the California Democrat who pledged in her 1992 campaign to protect the desert and who worked vigorously to find compromises the Senate would accept. Beaming, she joined House Democrats after today's vote and hugged them, declaring, "We're on the road now."

Ms. Feinstein's negotiating skills may be challenged in the conference over the hunting provision, but today she signaled a willingness to compromise. She declined to say what she would or would not accept, but noted that hunters account for a tiny fraction of those who use the desert and said, "The animals killed are few in number." Others have said that 20 deer and about six bighorn sheep are killed a year, on average, in the area, while most hunting focuses on rabbit and quail.

Mr. Miller, too, seemed to play down the problems with the hunting provision, which he opposed, saying, "It's not as Draconian as people would make it out to be."

The Sierra Club's legislative director, Debbie Sease, called the Desert Protection Act "the most significant land protection measure even considered for the lower 48 states."

The House debate, which began in May, was protracted by the five Republican Congressmen whose districts cover the arid Southeastern portion of California and who opposed the bill. **A Fragile Ecosystem**

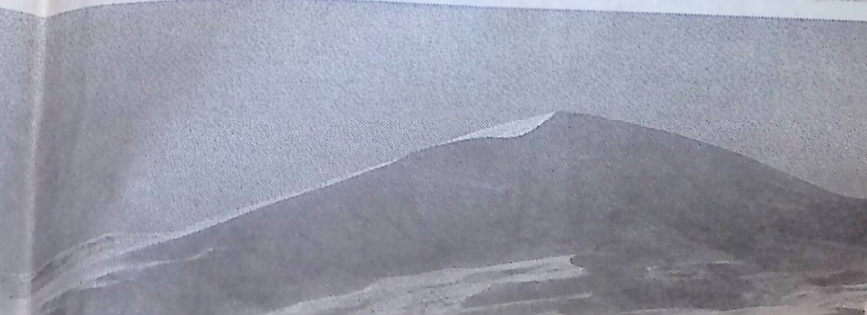
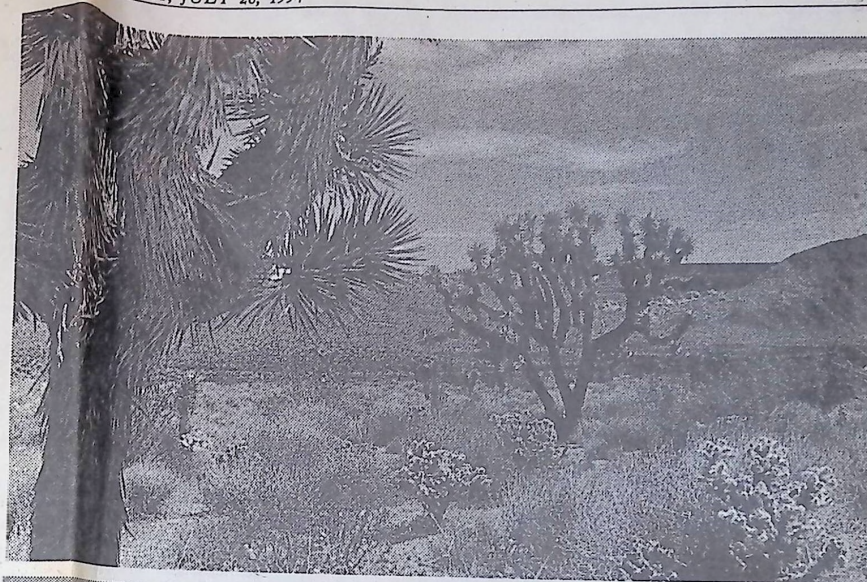
Proponents of the legislation said that it provided much-needed protection to a fragile ecosystem and that they were acting as responsible stewards of a unique heritage for future generations as the California population expands. The need to protect the desert was first recognized by Congress 15 years ago; proposals for doing so have been debated and defeated for the last eight years.

The opponents, led by Representative Jerry Lewis, a Republican whose district covers part of the desert, maintained that the bill added excess responsibility to the National Park Service although the financially strapped park system is facing cuts in service and employees. They also said the bill represented a continuation of what they called the Clinton Administration's war on the West, in which people's rights were being trampled.

But they were particularly incensed that other Democrats had ignored their views on a matter concerning their home districts. Representative Duncan Hunter, another Republican from the desert, said the real fight was between elitists who "like the sound of the word wilderness" but never go there and the working-class people who live in the area, use it and care for it.

8-Year Statement

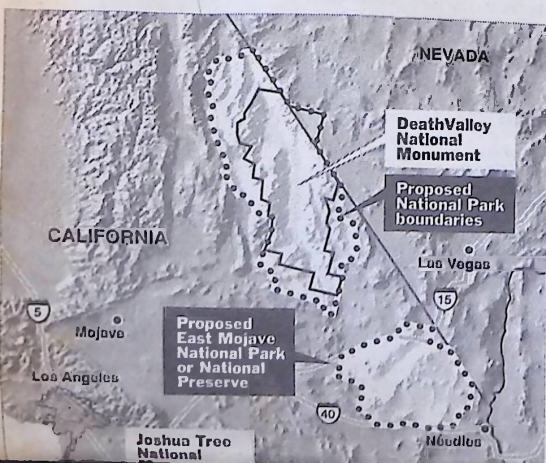
The Senate had been stalemated over the legislation for eight years because California's Senate delegation included Republicans who opposed it. The logjam was broken after California elected two Democrats, Ms. Feinstein and Barbara Boxer, in 1992, and Senator Feinstein then steered the bill through the upper chamber, negotiating nearly 60 compromises in the legislation.



THE AFFECTED AREAS

Protecting California's Deserts

Both the House and the Senate versions of the Desert Protection Act would protect over nine million acres of desert in Southern California, expanding two national monuments and upgrading them to national parks and creating a newly-protected area in the east Mojave desert. The chief difference between the two bills involves the level of protection offered to the east Mojave area: the Senate would make it a national park, while the House would make it a national preserve, with fewer restrictions on activity.





The New York Times

agreed that Senator Feinstein should manage the bill, and be allowed to take credit for it, as a return favor for the vital support she lent Ms. Boxer in the waning days of Ms. Boxer's difficult campaign.

With Senator Feinstein in a tough re-election fight this year, the Democratic leadership has been anxious for her to receive credit for the measure, which has the support of most Californians.

Her Republican opponent in this year's election, Representative Michael Huffington, voted against the measure today. He said in an interview after the vote that he opposed the measure because it would overburden the park service.

The House voted yesterday to designate 9.4 million acres of California desert as national parkland and preserves. The region includes the world's largest forest of cactus-like Joshua trees, top, and Death

Valley, which at Badwater, center, is the lowest spot in the United States at 282 feet below sea level. A third region is the Eastern Mojave Scenic Area, which includes Kelso Dunes, bottom, near Kelso.

Photographs by JIM WILSON/The New York Times

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C.I.A. Turncoat Tells of His Decadelong Betrayal

Continued From Page A1

agreement that will send him to prison for life but limit the punishment of his wife, Rosario. Officials familiar with the debriefings confirm the essence of his account.

But they disagree fiercely with Mr. Ames's tangled explanation of his motives. He concedes that greed was the primary factor but says he also had a vision of shortening the cold war by "leveling the playing field" between a decaying Moscow and a dominant Washington.

Nonsense, the Director of Central Intelligence, R. James Woolsey, said last week. "Ames was and is," Mr. Woolsey said, "a malignant betrayer of his country who killed a number of people who helped the United States and the West win the cold war," in exchange for nothing more than a fine house, a fancy car and a bulging bank account.

Mr. Ames is without question, Mr. Woolsey said, a "murdering traitor" who turned his coat for more than \$2 million from Moscow.

But Mr. Woolsey also said that the case of Mr. Ames had forced the agency to confront its failings. The culture of the C.I.A. — secrecy compounded with "a sense of trust and camaraderie within the fraternity that can smack of elitism and arrogance," as Mr. Woolsey put it — may have helped Mr. Ames to flourish for as long as he did. An institution whose reason for being is gathering and analyzing secret information could not see Mr. Ames for what he was.

The Beginning

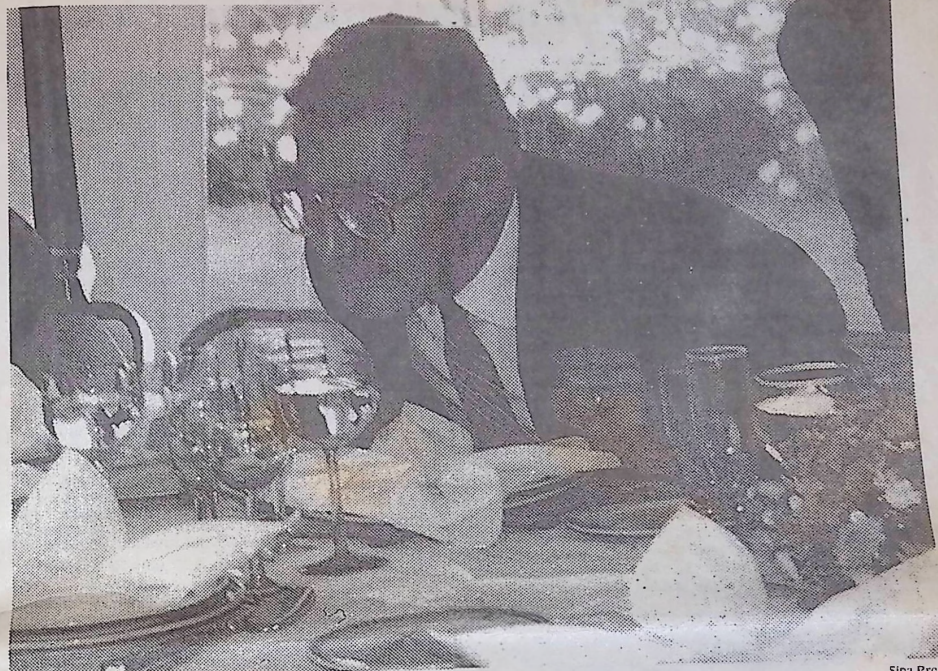
A Man Convinced He Knew Better

The seeds of betrayal were planted in 1976, when Rick Ames, a C.I.A. officer tracking the Soviets' United Nations delegation, sat down to lunch with a new acquaintance, Tomas Kolesnichenko, the chief New York correspondent of the Communist Party newspaper Pravda.

They would continue meeting once a month for three years, Mr. Kolesnichenko remembered in a recent telephone interview from Moscow, at coffee shops or restaurants like Tavern on the Green in Central Park. Mr. Kolesnichenko says he did not know that Mr. Ames worked for the C.I.A., although he had his suspicions.

Vodka and ideas flowed freely. Both went down well with Mr. Ames. He recalls learning a great deal from Mr. Kolesnichenko, a part-time playwright whose dispatches were purely distilled Communist ideology.

Gaining insight into the ways of the Soviets was, of course, Mr. Ames's job as a C.I.A. officer. But he says the



Sipa Press

Aldrich H. Ames, the former C.I.A. official who spied for the Soviet Union, said in an interview that he was "particularly repelled" by the agency's inter-

nal politics. "I was perceived as a controversial person," he said. "And a lot of people didn't like me. I attributed it to rumors about my drinking."

THE AMES INTERVIEW

Excerpts from the interview with Aldrich H. Ames will appear in *The New York Times Magazine* on Sunday.

great fear of communism in the United States during the 1950's, he said.

He began to think the world might be better off if the match were evened. As he explained it in his cell, if the Soviet leadership knew that the C.I.A. had not subverted all of Soviet society, it would realize that communism's profound problems were self-inflicted.

In practice, "leveling the playing field" would come to mean his handing over the names of the best people secretly working for the United States within the Soviet system.

In 1983, Mr. Ames returned to his roots in Langley, Va., at the C.I.A.'s headquarters, where his father had worked as an analyst and near where Mr. Ames himself had grown up. He was by then a deeply alienated man.

In the midst of a financially draining divorce from a fellow intelligence officer and in love with a Colombian woman, Maria del Rosario Casas, whom the C.I.A. had recruited during his time in Mexico City and whom he

the C.I.A.'s clandestine service, Mr. Ames remembers. "It was as if neon lights and searchlights lit up all over the Kremlin," he said, "shone all the way across the Atlantic Ocean, saying, 'There is a penetration.'"

He says the executions shocked him. But his main concern, he says, was the signal that the deaths could send to the C.I.A. "Had I known they were going to do that," he said of the Soviets, "I either would not have gone and sold them that information, or I would have passed them out one by one."

By the spring of 1986, it was clear to Burton Gerber, chief of the C.I.A.'s Soviet division, and Gus Hathaway, the head of counterintelligence, that a serial killer was at large inside the agency, according to Robert M. Gates, later the Director of Central Intelligence. In the fall, former colleagues say, Mr. Gerber and Mr. Hathaway barely noticed as the agency's involvement in the Reagan Administration's secret sale of arms to Iran unraveled. "They were consumed with a secret disaster that in their minds was worse than anything in Iranate," Mr. Ames recalled.

Meanwhile, Mr. Ames was off to Rome in his new job as a counterintelligence chief for Western Europe. In October, Vladimir, his K.G.B. case

pean operations, paid \$540,000 in cash for a house a mile from its headquarters.

"I didn't conceal my funds in any real way," Mr. Ames said. "I sloshed my money pretty good. I felt that the perception of my having money would not fuel an investigation. And it didn't."

The Unraveling

In Retrospect, Witch Hunt's Role

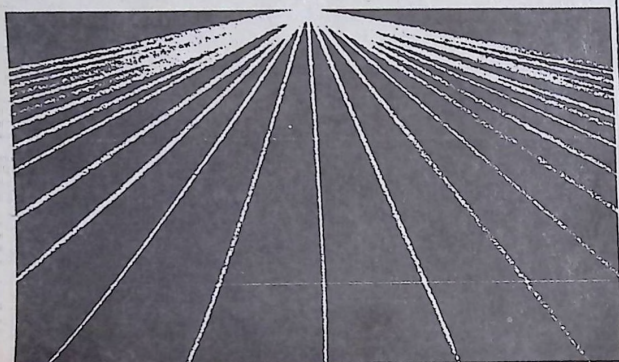
For four years after he returned to Washington, Mr. Ames continued slipping documents to the K.G.B. — the C.I.A.'s plans for recruiting Russian officials, reports on the agency's operations in Moscow, whatever he could steal. "Wherever he was, he gave away everything he had," said Senator Dennis DeConcini, chairman of the Senate Intelligence Committee.

By 1990, the Senator said, "there was more than a passing suspicion that Ames was trouble" at the C.I.A. The C.I.A.'s own in-house investigation still had at least 20 potential suspects under scrutiny. But a formal criminal investigation was still years

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betrayal, and more contempt for the C.I.A.'s world view and a soaring appreciation of his own philosophy. He thought it absurd to say, as many of the C.I.A.'s analysts did in the late 1970's and early 80's, that the Soviet threat to the United States was immense and growing. Mr. Ames decided that he knew better.

"I know what the Soviet Union is really all about, and I know what's best for foreign policy and national security," he thought. "And I'm going to act on that."

The idea grew as Mr. Ames served in Mexico City from 1981 to 1983. The Mexican capital, always a crucial cold-war battleground, became a crucible as the Reagan Administration set the C.I.A. to battle in Central America, mobilizing against communism.

To Mr. Ames, his counterintelligence mission there — identifying Communists and recruiting agents against Moscow — was a charade. In his mind, the global spy-versus-spy contest had become a rout.

"Our penetration of the Soviet intelligence services was effective and longstanding," he said the other day. "We had cleaned their clock." As a consequence, he said, Soviet leaders were gripped by paranoia, wrongly convinced that the C.I.A. had infiltrated every Soviet institution: the Communist Party, the military, the ministries. Their hysteria mirrored the

vate ideological war against the superiors.

He describes the political views he held as sometimes veering toward Stalinism. They were by any measure unconventional at the C.I.A., where "the range of political opinion sort of centers on Rush Limbaugh," Mr. Ames said.

"I was particularly repelled" by the agency's internal politics, he said. "I was perceived as a controversial person. And a lot of people didn't like me. I attributed it to rumors about my drinking. I attributed it to the fact that I had not engaged the sympathies of a lot of people making the decisions, and that I was viewed as a person who thought too highly of himself and who had a lot of unsound ideas."

Mr. Ames had earned a bad reputation: deadwood, drunkard, dissident. Most of the unfavorable assessments were in his personnel file from his tenure in Mexico City. But in "a culture where personnel problems tend to be passed along rather than dealt with," in Mr. Woolsey's words, the full file did not reach the Soviet division, which hired Mr. Ames as a counterintelligence chief in late 1983.

No mole could have asked for a more perfect burrow.

The Betrayal

Breaking Faith And Getting Rich

In 1984, Mr. Ames won an assignment to visit the Soviet Embassy in Washington and suborn an officer there. An idea began taking shape: with one stroke, he could get rich, get revenge and fiddle under the hood of American foreign policy.

In April 1985, he made an unauthorized visit. "In exchange for \$50,000," he testified at his sentencing three months ago, "I provided the K.G.B. with the names of several Soviet citizens who appeared to be cooperating with the C.I.A."

Then, a few months later, came the most drastic and damaging step. As he put it at the sentencing, without prompting he "volunteered to the K.G.B. information identifying virtually all Soviet agents of the C.I.A. and other American and foreign services known to me."

Recalling those days now, he struggles a little for an explanation of this deadly gift to the Soviets. In a sense, he says, it was a thinly veiled appeal to the K.G.B.: "I have demonstrated that I'm holding nothing back. You guys take care of me."

The response was direct. "To my surprise," Mr. Ames said at his sentencing, "the K.G.B. replied that it had set aside \$2 million in exchange." The money would be doled out over the next decade.

Slowly, one by one, America's best spies inside the Soviet Union were arrested, tried, imprisoned and in most cases executed. As they died, "bells and whistles" went off inside

C.I.A. knew it had been penetrated. As Mr. Ames recalls it, "He said, 'We're trying to find effective ways of diverting attention, and one of the ways is to create the impression that there's a commo problem'" — that is, to invent a communications breach, a wiretap or a bug, that might explain the penetration.

Within weeks, the United States Embassy in Moscow was rocked by what appeared to be a huge security breakdown. The embassy, the C.I.A. station inside it and a new embassy under construction were riddled with listening devices. A huge outcry ensued; a Marine security guard at the embassy, Sgt. Clayton J. Lonetree, was convicted of working with Soviets who had planted the bugs. Some in Washington feared that the expensive new embassy would have to be scrapped.

From his conversations with Vladimir, Mr. Ames says, he believes that the crisis was in part a deception — a diversion manufactured by Soviet intelligence to throw the mole hunters off the scent.

Time Abroad

Days of Bars And Cuban Cigars

From 1987 to 1989, Mr. Ames selected the most interesting secret C.I.A. documents that flowed into the Rome station and made sure they went to Moscow.

Stacks of classified paper from around the world piled up a foot high on his desk each day; perhaps an inch might be of use to the K.G.B., he says. Every week or two he would choose the best reports, making a six-inch stack, stuff them into envelopes, slip them into a bag with some magazines, make an appointment with a Soviet Embassy officer — he told his station chief, Alan Wolfe, that the embassy officer might be a good source — and hand over a digest of the C.I.A.'s cable traffic and computer printouts.

The Soviet officer slipped him a box of Cuban cigars, a favorite cold-war treat for spies. The box was layered with cash, but the cigars were not the best, Mr. Ames says.

He drank his lunch in bars and restaurants near the palatial United States Embassy on Rome's Via Veneto. His station chief wrote scathing evaluations of his work. Money from Moscow flowed into his bank accounts, up to \$375,000 in cash at once. When the time was ripe, he would tap out a message to the K.G.B., boiling down all the information he had about new double agents and C.I.A. operations around the world. He also kept sending Moscow his personal geopolitical analysis: the Soviet Union had nothing to fear from the C.I.A.

Back in Washington, where Mr. Ames returned in 1989, the mole hunt went nowhere. That September, the agency did not notice when Mr. Ames, its new Soviet branch chief for Euro-

pean operations, left on a tour of investigation, with full cooperation with the F.B.I., until the summer of 1993. It's beyond understanding."

As the Soviet Union dissolved, Mr. Ames was transferred to the C.I.A.'s counternarcotics center. Among his jobs was working on the heroin trade with the Russian intelligence service. The C.I.A. sent him to Moscow on assignment in 1992. It was great fun, he recalled, "wheeling and dealing with the Russians, the Bulgarians, the Turks, and putting them all together and having a grand time."

Meanwhile, the F.B.I. and the C.I.A. were at each other's throats, Senator DeConcini said. In June 1993, after a bitter struggle, the F.B.I. won control of the investigation. When the bureau finally raided Mr. Ames's home last February, it found that he had been a remarkably sloppy spy. Notes from the K.G.B., financial data and other incriminating records were everywhere.

But in retrospect, there was no more crucial clue than a document the F.B.I. found in Mr. Ames's office: a top-secret C.I.A. analysis entitled "What Angleton Thought."

From 1954 to 1974, James Jesus Angleton, the agency's chief of counterintelligence, conducted an obsessive and futile search for a top-level Soviet mole. He scorched the earth of the C.I.A. He "tarred innocent officers, destroyed careers and ruined lives," in the words of Mr. Woolsey, the Director of Central Intelligence.

The culture in which Mr. Ames flourished was shaped by a reaction to Mr. Angleton's excesses. Mr. Woolsey said: skittish of smearing innocent people, the agency did not police itself properly.

On this point — and only this — Mr. Woolsey and Mr. Ames agree: the legacy of witch hunts made it extraordinarily difficult for the agency to conduct an effective mole hunt.

"We must understand the roots of the environment in which Ames was able to operate," Mr. Woolsey said. "We all at the C.I.A. want to continue to serve in today's Virginia, not in 17th-century Salem."

"You would wind up with people throwing up their hands and saying, 'We can't do it,'" Mr. Ames said. "You would wind up with Jim Angletons doing Angletonian things. People would be fired all the time for no grounds. You've got two or three or four thousand people running around doing espionage. You can't monitor it. You can't control it. You can't check it. And that's probably the biggest problem with an espionage service. It has to be small. The minute you get big, you get like the K.G.B., or you get like us."

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At the Bar

Linda Greenhouse

In the longtime war over lawyer advertising, the latest shot leaves as many wounds as ever.

WASHINGTON

Of course fancy law firms don't advertise, not if advertising is defined as televised come-ons, tacky billboards or — the focus of a Supreme Court decision on Wednesday — letters to accident victims soliciting their business.

Only if advertising is defined more generally to include hiring expensive public relations agents to convert anonymous partners into often-quoted experts, sending newsletters at the finer points of the Employee Retirement Income Security Act to potential clients or announcing by a dignified, properly engraved mailing that a former deputy assistant counsel to a Cabinet department has joined the firm can the establishment bar be described as participating in the revolution the Supreme Court unleashed when it ruled 17 years ago that lawyers have a First Amendment right to advertise.

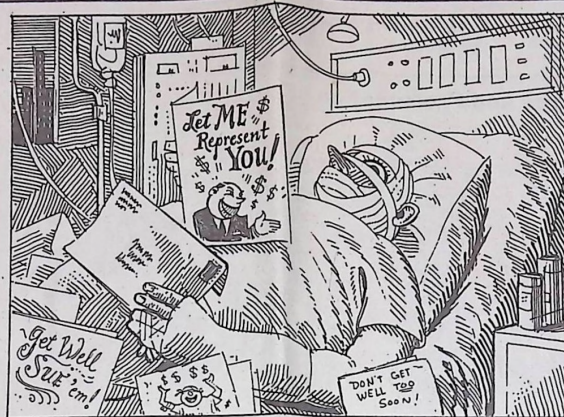
The vote in that case, *Bates v. State Bar of Arizona*, was 5 to 4, and it is clear from the 5-to-4 vote in the

direct-mail-solicitation case on Wednesday that the fissures are still wide open both on the Court and within the legal profession.

The Court ruled this time that contrary to the spirit if not the precise holding of post-*Bates* cases, states may forbid lawyers to send letters within 30 days of an accident seeking to sign up the victims or survivors as clients. The decision, *Florida Bar v. Went for It Inc.*, upheld a rule that the Florida Supreme Court had adopted at the urging of the Florida Bar.

Perhaps the most curious element of the ongoing debate is the organized bar's position, which boils down to a plea to the Justices to "stop me before I advertise again."

Justice Sandra Day O'Connor, in her majority opinion, cited with alarm a Florida Bar study showing that lawyers in the state were mailing hundreds of thousands of direct solicitations to accident victims every year. These personal injury law-



Illustrations by Elliott Banfield

yers are, after all, not plumbers or automobile dealers but lawyers, who presumably pay their bar dues as regularly as the corporate partners in the big firms. Yet the organized bar, while tolerating the more genteel forms of self-promotion, does not deign to speak for its more aggressive and flamboyant members.

As a historical matter, that is probably not surprising: the bar's leadership has long opposed advertising and has yet to give up the fight.

"The people who are in charge of

the bar don't need to advertise," said Alan B. Morrison, a lawyer with the Public Citizen Litigation Group, a consumer-oriented firm affiliated with Ralph Nader that filed a Supreme Court brief against the Florida rule. "They've got their clients, and they didn't get them through advertising. They met them at the country club. They regard advertising as unnecessary and undignified."

P. Cameron DeVore, a partner and First Amendment specialist at

Davis Wright Tremaine in Seattle, who also filed a brief against the rule, said the opposition to advertising came not so much from the big law firms like his own as from the small firms and solo practitioners who provide the bar leadership in many states. Unlike the big firms with established practices, these lawyers are directly challenged in the quest for clients by "a lot of hardscrabble young lawyers using advertising to shake the tree for business," Mr. DeVore said in an interview on Thursday.

"Behind all the talk about reclaiming the dignity of the bar," he said, "is a powerful economic self-interest."

But there is a passion to this debate that transcends mere economics. Warren E. Burger, the retired Chief Justice, was on the losing side in the *Bates* case and, 42 years after serving his last client, at a Minneapolis law firm, has never reconciled himself to the result.

In a speech at the University of Tennessee two years ago, the former Chief Justice, who is now 87 and in failing health, denounced "the outrageous breach of professional con-

duct we see in the huckster advertising of some attorneys."

"Perhaps 'huckster' is not strong enough a word," he added. "'Shyster' is more appropriate, but I find on consulting the dictionary that even 'shyster' is not strong enough."

In his speech, Mr. Burger observed fully that at one time the "learned professions" — the church, medicine and the law — were "considered something different from a trade."

Perhaps that is the key to understanding why the legal profession will never find peace through advertising. Many lawyers do consider themselves part of a special calling, with roots in public service and ethical obligations that extend to a broader system beyond their office walls.

Yet these high-minded elements of a life in the law coexist, with increasing discomfort these days, with the grubby need to make a living. Commerce may hide under an elegant patina, but it is there, in all its gritty reality, nonetheless. At a certain level, lawyers who recoil from the spectacle of advertising may be looking into the mirror of the television screen and seeing themselves.

High Court's Opinions on Lawyers' Ads: Sharp Words and Sharp Scrutiny

By The New York Times

Following are excerpts from Justice Sandra Day O'Connor's majority opinion and Justice Anthony M. Kennedy's dissent in *Florida Bar v. Went for It Inc.*, in which the High Court held that states could limit lawyers' soliciting of clients. Joining the majority was Chief Justice William H. Rehnquist and Justices Antonin Scalia, Clarence Thomas and Stephen G. Breyer. In dissent were Justices John Paul Stevens, David H. Souter and Ruth Bader Ginsburg.

JUSTICE O'CONNOR

Rules of the Florida Bar prohibit personal-injury lawyers from sending targeted direct-mail solicitations to victims and their relatives for 30 days following an accident or disaster. This case asks us to consider whether such rules violate the 1st and 14th Amendments of the Constitution. We hold that in the circumstances presented here, they do not.

other media. They may rent space on billboards. They may send untar-geted letters to the general population, or to discrete segments. ... Finding no basis to question the common-sense conclusion that the many alternative channels for communicating necessary information about

investigate the occurrence, identify witnesses and preserve evidence. Vital interests in speech and expression are, therefore, at stake when by law an attorney cannot direct a letter to the victim or the family explaining this simple fact and offering competent legal assistance. Mean-

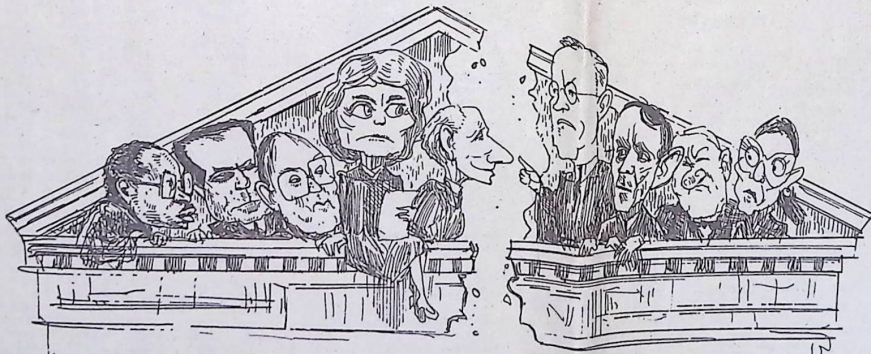
less will be offended by receiving a solicitation during their grief and trauma. But we do not allow restrictions on speech to be justified on the ground that the expression might offend the listener. ... It is only where an audience is captive that we will assure its protection from some offensive speech. ... The occupants

of a household receiving mailing are not a captive audience. ... All the recipient of objectional mailings need do is take "the short, though regular, journey from mail box to trash can." As we have observed, this is "an acceptable burden, at least so far as the Constitution is concerned." (*Bolger v. Youngs Drug Products*, 463 U.S. 60 (1983).)

In the face of these difficulties of logic and precedent, the state and the opinion of the Court turn to a second interest: protecting the reputation and dignity of the legal profession. The argument is ... that all are demeaned by the crass behavior of a few. The argument takes a further step in the amicus brief filed by the Association of Trial Lawyers of America. There it is said that disrespect for the profession from this sort of solicitation ... results in lower jury verdicts. The fact is, however, that direct solicitation may serve vital purposes and promote the administration of justice, and to the extent the bar seeks to protect lawyers' reputations by preventing

them from engaging in speech some deem offensive, the state is doing nothing more (as amicus the Association of Trial Lawyers of America is at least candid enough to admit) than manipulating the public's opinion by suppressing speech that informs us how the legal system works. The disrespect argument thus proceeds from the very assumption it tries to prove, which is to say that solicitations within 30 days serve no legitimate purpose. This, of course, is censorship pure and simple; and censorship is antithetical to the first principles of free expression. ...

Today's opinion is a serious departure, not only from our prior decisions involving attorney advertising, but also from the principles that govern the transmission of commercial speech. The Court's opinion reflects a new-found and illegitimate confidence that it, along with the Supreme Court of Florida, knows what is best for the bar and its clients. Self-assurance has always been the hallmark of a censor.



It is now well established that lawyer advertising is commercial speech and, as such, is accorded a measure of First Amendment protection. Such First Amendment protection, of course, is not absolute. . . .

We engage in "intermediate" scrutiny of restrictions on commercial speech, analyzing them under the framework set forth in *Central Hudson Gas & Electric Corp. v. Public Service Comm'n of N.Y.*, 447 U.S. 557 (1980). Under *Central Hudson*, the Government may freely regulate commercial speech that concerns unlawful activity or is misleading. Commercial speech that falls into neither of those categories, like the advertising at issue here, may be regulated if the Government satisfies a test consisting of three related prongs: First, the Government must assert a substantial interest in support of its regulation; second, the Government must demonstrate that the restriction on commercial speech directly and materially advances that interest, and third, the regulation must be "narrowly drawn." . . .

The Florida Bar asserts that it has a substantial interest in protecting the privacy and tranquility of personal injury victims and their loved ones against intrusive, unsolicited contact by lawyers. . . . We have little trouble crediting the bar's interest as substantial. . . . Indeed, we have noted that "a special benefit of the privacy all citizens enjoy within their own walls, which the state may legislate to protect, is an ability to avoid intrusions." *Frisby v. Schultz*, 487 U.S. 474 (1988). . . .

The anecdotal record mustered by the bar is noteworthy for its breadth and detail. With titles like "Scavenger Lawyers" (The Miami Herald, Sept. 29, 1987) and "Solicitors Out of Bounds" (St. Petersburg Times, Oct. 26, 1987), newspaper editorial pages in Florida have burgeoned with criticism of Florida lawyers who send targeted direct mail to victims shortly after accidents. . . . After scouring the record, we are satisfied that the ban on direct-mail solicitation in the immediate aftermath of accidents . . . targets a concrete, nonspeculative harm. . . .

The intrusion targeted by the bar's regulation stems not from the fact that a lawyer has learned about an accident or disaster . . . but from the lawyer's confrontation of victims or relatives with such information, while wounds are still open, in order to solicit their business. . . .

The purpose of the 30-day targeted direct-mail ban is to forestall the outrage and irritation with the state-licensed legal profession that the practice of direct solicitation only days after accidents has engendered. But the bar is concerned not with citizens' "offense" in the abstract, but with the demonstrable detrimental effects that such "offense" has on the profession. . . .

Florida permits lawyers to advertise on prime-time television and radio as well as in newspapers and

attorneys are sufficient, we see no defect in Florida's regulation. . . .

There are circumstances in which we will accord speech by attorneys on public issues and matters of legal representation the strongest protection our Constitution has to offer. This case, however, concerns pure commercial advertising, for which we have always reserved a lesser degree of protection under the First Amendment. . . . The bar has substantial interest both in protecting injured Floridians from invasive conduct by lawyers and in preventing the erosion of confidence in the profession that such repeated invasions have engendered.

JUSTICE KENNEDY

Attorneys who communicate their willingness to assist potential clients are engaged in speech protected by the 1st and 14th Amendments. That principle has been understood since *Bates v. State Bar of Arizona* (1977). The Court today undercuts this guarantee in an important class of cases and unsettles leading First Amendment precedents, at the expense of those victims most in need of legal assistance. With all respect for the Court, in my view its solicitude for the privacy of victims and its concern for our profession are misplaced and self-defeating, even upon the Court's own premises.

I take it to be uncontroverted that when an accident results in death or injury, it is often urgent at once to

formed parties, or parties who have been solicited in ways more sophisticated and indirect, may be at work. . . . This scheme makes little sense. As is often true when the law makes little sense, it is not first principles but their interpretation and application that have gone awry. . . .

It would oversimplify to say that what we consider here is commercial speech and nothing more, for in many instances the banned communications may be vital to the recipients' right to petition the courts for redress of grievances. . . . If our commercial speech rules are to control this case, then, it is imperative to apply them with exacting care and fidelity to our precedents, for what is at stake is the suppression of information and knowledge that transcends the financial self-interests of the speaker. . . .

The problem the Court confronts, and cannot overcome, is our recent decision in *Shapero v. Kentucky Bar Assn.*, 486 U.S. 466 (1988). . . . *Shapero*, like this case, involved a direct-mail solicitation, and there the state recited its fears of "overreaching and undue influence." We found, however, no such dangers presented by direct-mail advertising. . . .

To avoid the controlling effect of *Shapero* in the case before us, the Court seeks to declare that a different privacy interest is implicated. As it sees the matter, the substantial concern is that victims or their fam-

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Street Corners
In Cyberspace

ANDREW L. SHAPIRO

You probably didn't notice, but the Internet was sold a few months ago. Well, sort of: The federal government has been gradually transferring the backbone of the U.S. portion of the global computer network to companies such as I.B.M. and M.C.I. as part of a larger plan to privatize cyberspace. But the crucial step was taken on April 30, when the National Science Foundation shut down its part of the Internet, which began in the 1970s as a Defense Department communications tool. That left the corporate giants in charge.

Remarkably, this buyout of cyberspace has garnered almost no protest or media attention, in contrast to every other development in cyberspace—particularly Senator James Exon's proposed Communications Decency Act, which would criminalize "obscene, lewd, lascivious, filthy, or indecent" speech on computer networks. Yet issues of ownership and free speech are inextricably linked. Both raise the vexing question of what role—if any—government should play in cyberspace and, consequently, of what this new frontier will become.

The chorus of opposition to Exon's misguided proposal is right on; the bill deserves to be scrapped. But as cyberspace becomes privatized and commercialized, we should also be skeptical of the laissez-faire utopianism of many of Exon's critics. They say that cyberspace is a bastion of free expression and that users can regulate themselves. "No government interference!" is their rallying cry. In the context of censorship, this sounds right. But in the context of ownership, it is wrong. Speech in cyberspace will not be free if we allow big business to control every square inch of the Net. The public needs a place of its own.

This seems simple enough. And yet the issue of who owns cyberspace has been overlooked because it's difficult in the abstract to see what's at stake here. So let's get concrete: Consider two models of cyberspace that represent what total privatization deprives us of and what it leaves us with.

In the first model—this is what we're being deprived of—you use a computer and modem to go on-line and enter a virtual world called Cyberkeley. As you meander down the sidewalk, you find a post office, libraries and museums, shopping malls full of stores, and private clubs that service a limitless variety of clientele, from those who want spiritual guidance, tips on gardening or legal advice to those with a penchant for

live sex or racist hate mongering. You also encounter vibrant public spaces—some large like a park or public square, others smaller like a town hall or street corner. In these public forums, some people are talking idly, others are heatedly debating social issues. A few folks are picketing outside a store where hard-core pornography is sold, others are protesting the post office's recently increased mail rates and one lone activist outside the Aryan Militia's hangout hands out leaflets urging racial unity. Most people are just passing through, though you and they can't help but take notice of the debaters, the demonstrators, even the leafleter.

In the second cyberspace model—which is what we're getting—you enter an on-line world called Cyberbia. It's identical to Cyberkeley, with one exception: There are no spaces dedicated to public discourse. No virtual sidewalks or parks, no heated debate or demonstrators catching your attention, no street-corner activist trying to get you to read one of her leaflets. In fact, you can shape your route so that you interact only with people of your choosing and with information tailored to your desires. Don't like antiabortion activists, homeless people, news reports about murders? No problem—you need never encounter them.

Third Wave lawmakers say that cyberspace should be privately owned and operated.

Cyberbia is tempting. People can organize themselves in exclusive virtual communities and be free of any obligation to a larger public. It is, perhaps, the natural result of a desire for absolute free choice, customization and control. But, at least for now, cyberspace must be treated as an extension of, rather than an alternative to, the space we live in. Consequently, it should be clear that Cyberbia—like suburbia—simply allows inhabitants to ignore the problems that surround them off-line. In Cyberkeley, by contrast, people may be inconvenienced by views they don't want to hear. But at least there are places where bothersome, in-your-face expression flourishes and is heard. These public forums are essential to an informed citizenry and to pluralistic, deliberative democracy itself.

Unfortunately, cyberspace is shaping up to be more like Cyberbia than Cyberkeley. That's because the consensus among on-line boosters—from the terminally wired hackers to the cyberworks at the Electronic Frontier Foundation to Newt Gingrich, Al Gore and other Third Wave lawmakers—is that all cyberspace should be privately owned and operated. While their fears of government abuse or inefficient centralization may be legitimate, presenting the choice as one between totalitarian control and a total absence of publicly owned space is misleading. These extreme alternatives prevent us from moving toward something like Cyberkeley—a model

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SUBJECT TO DEBATE.

A lot of people made fun of Senator Dole for not having seen the movies he excoriated as "nightmares of depravity" in a speech that has become the most discussed piece of political oratory since Mark Antony's eulogy for Julius Caesar. But I know just how he felt: Why waste your time on schlock when, for the same amount of money, you can see a wonderful movie like *Priest*? Unfairly labeled anti-Catholic filth by Cardinal O'Connor and other League of Decency types who hadn't seen it, this brilliant study of the spiritual struggles of a young, puritanical, secretly gay priest has everything a movie should have: an exciting plot (the old Montgomery Clift dilemma about revealing confessional secrets to save a life), a vividly depicted social milieu (working-class Liverpool) as well as evocative scenery, humor and sex that is far from the "loveless" kind Dole dislikes. It's full of values—forgiveness, courage, self-reliance, tolerance; in fact, it's very Christian. There's even a miracle. "I don't know if I can stand it," said the Last Marxist as we left the theater. "A good religious movie!"

By one of those curious twists of fate that make capitalism so interesting, Disney, which distributed *Priest*—and thereby moved loyal wife Libby Dole to sell her stock in the company—also made *The Lion King*, which won Dole's approval as "friendly to the family." I don't blame Dole a bit if he skipped this movie too, but in a desperate bid to entertain my daughter during an endless city summer I sat through it twice, and the only families it's friendly to are the Windsors and the Romanoffs. For some reason—an overdose of Ralph Lauren?—Disney saw fit to make an elaborate multimillion-dollar animated feature that beneath its pop trappings is a weirdly sincere defense of feudalism, primogeniture and the divine right of kings. As in Shakespeare, the social order reflects the natural order: When Richard-the-Third-like Uncle Scar (you know he's bad because he's darker than the other lions) usurps the crown, he lets the rabble—hyenas—overrun the lions' turf and destroy the environment, until finally young Simba reclaims his father's throne and restores the eco-mystical circle of life: i.e., the Great Chain of Being, with lions on top. It's all vaguely racist—those "underclass" hyenas, and did the wise old shaman, the only character with an African accent, *have* to be a baboon? And it's definitely sexist: Simba's father is powerful, heroic, strong, brave and sententious; his mother's a gentle nobody. (On the other hand, at least he's got a mother; in most Disney cartoons, she's dead before the story opens.) It's also anti-intellectual: The characters with quick wits and big vocabularies are comic, lazy, cowardly or evil, while Simba and his father are simple and true and straightforward, and ever so slightly *slow*. It's brains versus brawn, urban versus rural, wily Jew/homosexual/foreigner/black versus noble but dim *echt* American. If those are family values, no wonder SAT scores keep falling.

If Dole—that is, his speechwriter, Mari Maseng, *a k a* Mrs. George Will—had really been concerned with the movies, he could have mentioned any number of terrific films for children: *Black Beauty*, *Into the West*, *The Secret Garden*, *Little Women*, *The Secret of Roan Inish* and, most recently, *A Little*

KATHA POLLITT

Princess—a radiant, literate and heart-rending film, which promotes great values, like kindness, equality, imagination and family love, and whose modest ticket sales call into question the whole assumption that parents en masse are dissatisfied with mass-market dreck for their kids. Dole might also have pondered the fact that it really isn't so easy to divide culture into the uplifting and the degrading. Sure, gangsta rap is misogynous, but so, according to no less a Republican stalwart than Ariana Huffington, was Picasso. Who's P.C. now?

But Dole isn't interested in culture, any more than William Bennett or Lynn Cheney or any of the other right-wing culture warriors are: Bennett, the former Secretary of Education, doesn't even know how to read a novel, which is how he came to include in his *The Book of Virtues* the famous fence-painting scene from *Tom Sawyer* as a lesson in the value of hard work.



These people aren't interested in the putative victims of pop culture either—women, teens, children—or they wouldn't be moving heaven and earth to cut education and health budgets, ban abortion and throw poor mothers and their kids to the wolves.

Pop culture has always been a mixed kettle of genius and junk, shot through with more sex and violence than grown-ups thought good for the young. So the only question to ask is, Why go into a tizzy about it now? The culture warriors freely admit they have no concrete action or program in mind: It's all hand-wringing and finger-pointing and speechifying. Well, the church may be able to bully theaters into canceling *Priest*, a low-budget foreign-made art movie (the bomb threats helped, too). But Oliver Stone and gangsta rap—not to mention *Married . . . With Children*, Jenny Jones, *Baywatch* and Madonna—are hugely successful business enterprises, adored by millions. If one corporation does not supply them, another one will. Ice-T, dropped by Time Warner with considerable fanfare, is with us still.

Dole's narrow political purpose—currying favor with the Christian Coalition as he starts his bid for the White House—has been much noted. But what about the wider purpose of the culture wars? Discussing these issues on a public radio call-in show last weekend, I suggested that this new onslaught was intended to distract the media and the chattering classes from thinking about real violence, real sexism, the dismantling of the never-adequate welfare state and the mammoth transfer of wealth from poor to rich that is the Contract With America. This mild remark caused one of my fellow panelists, who was representing Bennett's outfit, Empower America, to call me "the last social communist" and immediately start ranting about welfare dependency. He only proved my point: These people care so little about culture, high or low, that if you disrupt the canned speech they revert eagerly to their real concerns—Christian fanaticism and the bashing of the poor.

July 3, 1995

The Nation.

of cyberspace that is mostly private, but which preserves part of this new domain as a public trust, a common space dedicated to citizens' speech. Without this hybrid vision, it is unlikely that we will realize the democratic possibilities of this new technology.

All this becomes readily apparent if one steps back from the cyberspace framework and contemplates how our anemic public discourse came to be. By the 1960s, crucial victories for freedom of expression had been won in the courts against government attempts to suppress labor activists, Communists, civil rights activists and war protesters. At the heart of these victories was the public forum doctrine, which minimizes government control of speech in areas such as sidewalks and parks, disallowing restrictions based on content or viewpoint. As the Supreme Court said in 1939, these special locations were "held in trust for the use of the public . . . for purposes of assembly, communicating thoughts between citizens, and discussing public questions."

From the 1960s to the present, as Owen Fiss of Yale Law School has argued, speech on the street corner has become increasingly silent as a result of two concurrent trends: the rise of electronic media and the privatization of spaces that had previously been public—a prime example being the center of commerce, now the shopping mall. For a brief time, with the F.C.C.'s fairness doctrine for broadcasters and a 1968 Supreme Court decision that granted labor picketers access to a privately owned mall, there was reason to believe that speech might remain diverse and unfettered in the new locales. But the Supreme Court slowly and surely chipped away at what Justice William Brennan called "robust public debate." It limited citizen access to radio and television, and it allowed speech to be restricted not only in private shopping malls but also in certain publicly owned spaces, such as airports and post offices [see David Cole, "In Your Space," March 14, 1994]. Property owners and even municipalities acting in "private" capacities were able to use the First Amendment to exclude dissenting voices by arguing that they should not have to associate with speech with which they disagreed.

Given this history, it should be clear how important pub-

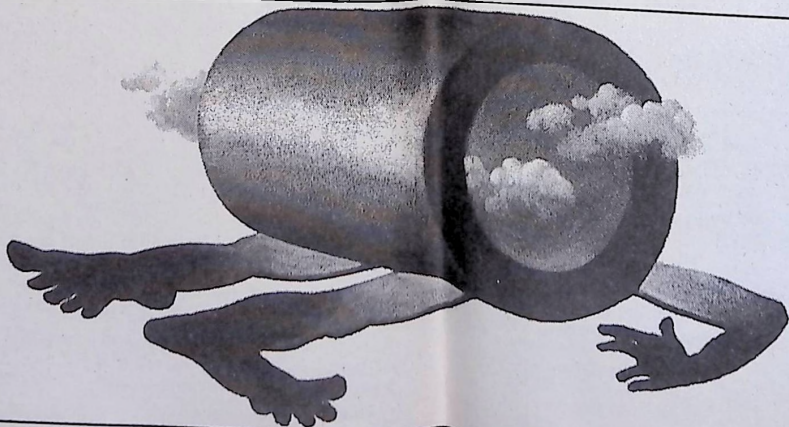
lic forums in cyberspace could be—as a way of keeping debate on-line robust and as a direct remedy for the dwindling number of such spaces in our physical environment. A remarkable incident shows further why this is so.

In 1990 the on-line service Prodigy started something of a revolt among some of its members when it decided to raise rates for those sending large volumes of e-mail. Protesters posted messages claiming they were being penalized for speaking frequently; they sent e-mail to Prodigy's on-line advertisers threatening a boycott. In response, Prodigy not only read and censored their messages, it summarily dismissed the dissenting members from the service. A spokesman for the company, which is a joint venture of Sears and I.B.M., wrote unapologetically in a *New York Times* opinion piece that the company would continue to restrict speech as it saw fit, including speech criticizing the company.

This example, extreme as it is, demonstrates the difference between Cyberkeley, which has public forums, and Cyberbia, which does not. In the latter, there is no way for the aggrieved Prodigy members to picket the on-line service in an area that its patrons will see (nor is there any higher authority to which they can appeal); thus the company has no incentive to refrain from suppressing dissent. Sure, the dissenters can open their own shop, but they'll probably be lost in some distant corner of cyberspace. By contrast, in Cyberkeley, the protesters would have access to the virtual sidewalk outside Prodigy; they would be able to protest the company's rate hike—and the fact that they were kicked out simply for airing a contrarian view—in a way that Prodigy members and non-members alike would hear.

Undoubtedly, some will argue that the Prodigy incident was an anomaly and that cyberspeech is already as free as it needs to be. But like the protests of the Prodigy dissidents, all speech in cyberspace is, in three fundamental ways, less free than speech in a traditional public forum.

First, cyberspeech is expensive, both in terms of initial outlay for hardware and recurring on-line charges. For millions of Americans, this is no small obstacle, especially when one considers the additional cost of minimal computer literacy. While



SELTZER

it is true that speech becomes cheaper once you've gained access to cyberspace—sending a message to 1,000 people costs little more than sending it to one—the initial threshold cost of this entry remains prohibitively high; the specter of information haves and have-nots is already upon us. This problem might be alleviated somewhat through subsidized access to cyberspace via public computer terminals (which have been established with success in Santa Monica and other cities), lower connection costs for low-income users (as with telephone service) and even something as idiosyncratic as Speaker Gingrich's tax breaks for laptops.

Second, speech on the Net is subject to the whim of private censors who are not accountable to the First Amendment. More and more, travelers in cyberspace are using commercial on-line services such as America Online and Compuserve, which, like Prodigy, have their own codes of decency and monitors who enforce them. Even those who prefer the more anarchic Usenet discussion groups are subject to regulation by self-appointed system operators and moderators. Since these censors are private agents, not state actors, disgruntled users have no First Amendment claim. Fortunately, most monitors, even at commercial on-line services, are not heavy-handed. But this is not always the case and, more important, there is no legal way to insure that it will be.

Third, speech in cyberspace can be shut out by unwilling listeners too easily. With high-tech filters, Net users can exclude all material from a specific person or about a certain topic. This feature may protect children from inappropriate speech, but adults should not be able to steer clear of "objectionable" views, particularly marginal political views, so easily.

Together, these three points demonstrate why on-line speech is less free than it seems and, again, why Cyberkeley is preferable to Cyberbia. They also show why the cyberworks' solution to Net regulation—a laissez-faire print model that treats all users as writers rather than, say, speakers—is inadequate: We're either paying to publish in mass-circulation periodicals where editors are free to censor us or we're writing pamphlets no one knows about because there's no public space in which to distribute them.

So how do we reverse the onslaught of commercialization and move from Cyberbia to Cyberkeley? Congress could

recognize the important public function of private on-line services and thus require them to save a place for dissenting speech, just as the Supreme Court required a privately owned "company town" to do in 1946. Eli Noam of Columbia University suggests as much when he says that computer networks "become political entities" because of their quasi-governmental role—taxing members, establishing rules, resolving conflicts. However, this remedy would probably be as unpopular today among courts and legislators as newspaper right-of-reply statutes and the F.C.C. fairness doctrine.

A more appropriate solution might be for Congress and state and local governments to establish forums in cyberspace dedicated explicitly to public discourse. This entails more than just setting up a White House address on the Internet or even starting the virtual equivalent of PBS or NPR. These public forums must be visible, accessible and at least occasionally unavoidable—they must be street corners in cyberspace.

Government should promote speech that is drowned out by the voices of the rich and powerful.

Through regulation or financial incentives, Congress might be able to get users of commercial and academic on-line services to pass through a public gateway before descending into their private virtual worlds. This gateway could provide either a comprehensive list or a representative sample (depending on technological capacities) of issues that are being discussed in public cyberforums, which the user can—if she chooses—enter and exit with a simple click of the mouse. The entry point might also register how many citizens are speaking in each forum and how long the discussion there has been going on.

Though Net users might initially see the public gateway as an imposition, it really isn't different from the burden of exposure that they accept in their everyday lives. To get to a store or private club one must, at least momentarily, traverse the square or travel the street. As on a real public sidewalk, a virtual pedestrian can try to ignore what's there and pass right by. Most probably will. But some will be enticed to listen and even to argue. More important, all will have at least the opportunity to hear truly free speech outside the control of private interests—and, like expression in any public forum, free from government censorship.

Even if Cyberkeley is technically feasible, skeptics of regulation from the left and right will question whether it is legal or even good policy. And this is precisely where the false choice between libertarianism and authoritarianism should be abandoned. In a liberal democracy, the people have a right to demand that government promote speech in a content-neutral way, particularly speech that is drowned out by the voices of the moneyed and powerful.

Admittedly, this state obligation to make speech available

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that otherwise would be unheard may seem unfamiliar to First Amendment absolutists who take it as an article of faith that, in all matters pertaining to freedom of expression, government should simply stay out of the way. But in fact, just as the state protects citizens from unfair market conditions, it also has a role to play when the marketplace of ideas fails and there is outright domination of some views. This is the same reason our government gives—and should give more, as European nations do—grants to marginal artists, postal subsidies to small magazines of opinion and free use of cable channels to community organizations. As the Supreme Court said last year in *Turner Broadcasting v. FCC*, “Assuring that the public has access to a multiplicity of information sources is a governmental purpose of the highest order, for it promotes values central to the First Amendment.”

Cyberkey might also help solve other Net snafus. For example, controversial political discussions on-line are sometimes destroyed by a phenomenon called “spamming,” in which an individual endlessly replicates a message in order to silence his opponents. Open discourse is effectively shut down. In a public forum, government cannot censor speech, but it can impose minimal “time, place and manner” restrictions, particularly in order to maintain the fairness of public debate. Thus, just as the state might prohibit use of a 100-decibel loudspeaker at 2 A.M. in Times Square, it might also turn down the volume on those who drown out other speech by spamming.

More mundane problems might also be ameliorated. For example, as political campaigns buy time on commercial on-line services, public cyberforums could take on an important role for candidates with little money. While Bob Dole is chatting with America Online subscribers, his grass-roots opponents should be able to set up a soapbox on the virtual sidewalk outside.

If cyberspace is deprived of public forums, we'll get a lot of what we're already used to: endless home shopping, mindless entertainment and dissent-free chat. If people can avoid the unpalatable issues that might arise in these forums, going on-line will become just another way for elites to escape the very nonvirtual realities of injustice in our world. As the wired life grows exponentially in the coming years, we'll all be better off if we can find a street corner in cyberspace. □

■ DOWN ON THE DUMP IN NEW YORK Privatize Trash? A Cautionary Tale

DAVID HIGBY

Not long ago, the 60,000 citizens of New York's Washington County, a poor dairy farming community between the upper Hudson River and Vermont, awoke to discover that they owned a high-tech trash incinerator whose construction costs exceeded estimates by 200 percent and whose appetite for garbage was ten times what the county could satisfy. As a result of the decision to build the facility, the county has endured the largest corruption trial in its history, the suicide of a local legislator and the spectacle of public officials being found guilty in federal court of violating the civil rights of their own constituents. At a time when politicians of both parties increasingly tout privatization as a painless, efficient panacea, corporate and professional predators stand ready to seize the opportunities provided by this rhetoric, and secretive public/private “development agencies” serve as often-corrupt dealmakers. The history of Washington County's incinerator is a cautionary tale.

Back in 1982, when an ambitious young lawyer named William Nikas took his seat as supervisor of Kingsbury, the largest of the county's seventeen townships, the idea of incinerating Washington County's trash seemed dead. In his election campaign, Nikas had argued convincingly against it on economic and environmental grounds, favoring instead a new landfill. But Nikas also served as chairman of the supervisors' Solid Waste Committee, and by August 23, 1984, he changed his mind. On that day, Robert Barber, the region's largest trash hauler, along with his attorney from the prominent local firm of Miller, Mannix, Lemery & Pratt, went before the committee and outlined a plan to build a trash incinerator in Hudson Falls, Washington County's largest village and part of Kingsbury. It would serve three counties: Washington, which would host the incinerator; Warren, which contains Glens Falls, the area's only city; and the more northern Essex, which would get the project's landfill and receive the incinerator's toxic ash.

The Miller/Mannix attorney conceded that other such projects had run into financial difficulty around the country, but he reassured the committee by saying that the Barber group had been working closely with Smith, Barney, Upham, Harris, the large Wall Street brokerage firm, to set up the financing. No one at the meeting questioned Miller/Mannix's rosy prediction that the facility would be privately financed and come in at \$31 million, or that the tipping fee, the cost per ton to dispose of trash, would be \$8. When Nikas took this good news

David Higby lives in Washington County and is executive director of the Upper Hudson Center for Regional Policy Studies. He has been both plaintiff and defendant in cases mentioned in this article.

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The Message Of Peace Down To The Pews

By GORDON ZAHN

Close to two years has passed since the US Catholic bishops issued their tenth anniversary reflection (*The Harvest of Justice is Sown in Peace*) on the 1983 pastoral, *The Challenge of Peace: God's Promise and Our Response*. That earlier document, adopted with near unanimity, had stirred great expectations within the Catholic peace community, and the greater body of believers as well, that it might inspire much needed changes in the nation's military and diplomatic policies. Unfortunately, neither the excitement nor the unanimity was long-lasting or translated into effective programs and action at the diocesan and parish levels.

Those who welcomed *The Challenge of Peace* and tried to promote and spread its message were unable to overcome its inherent weaknesses. Its treatment of nuclear war, despite the strong beginning that adopted the Second Vatican Council's condemnation of indiscriminate bombing of populated areas, was soon lost in pragmatic explorations of possibilities of "limited" nuclear war. The most crucial moral challenge—whether it could ever be permissible to *threaten explicitly and prepare for* those actions which were forbidden—was ignored in favor of the pastoral's "strictly conditioned moral acceptance" of nuclear deterrence.

What may have been the most significant

idealized patriotism.

Nowhere has this disparity between words and action been more obvious than in matters bearing upon the issues of conscientious objection in general, and selective conscientious objection in particular. As far back as 1968, the pastoral *Human Life in Our Day* addressed the reluctant recognition provided under the Selective Service Act and announced that "the time has come to urge that similar consideration be given those whose reasons of conscience are more personal and specific;" it further recommended that the Act be modified to make it "possible, although not easy, for so-called selective conscientious objectors to refuse—without fear of imprisonment or loss of citizenship—to serve in wars which they consider unjust or in branches of service (e.g. the strategic nuclear forces) which would subject them to the performance of actions contrary to deeply held moral convictions about indiscriminate killing." That qualifying phrase, "possible, although not easy" suggests, at best, weak support for what should be assured as a personal right under the nation's presumed commitment to freedom of religious belief.

In 1980, when President Carter re-introduced draft registration, the Administrative Board of the Bishops' Conference reaffirmed that position, to be followed, three years later, by the peace pastoral (approved by a majority of 238-9) and its "support for conscientious

"just war" teachings, "differs with the strategic judgment of the government that this specific war fits into that category." It was his personal conviction that "surely our President and the government can, in normal circumstances, be presumed to be in possession of the most relevant data regarding the background causes of the hostilities." Given that advantage, "trust of the President and the government on the part of the citizens is well placed."

In my research for *German Catholics and Hitler's Wars* (1962—now published by Notre Dame Press), I encountered virtually the same rationale in a German theologian's advice to German Catholics not to raise the question of the "just war." The justice or injustice of the war, he argued, could only be established after the war, when all the facts are known. The only course for the individual called to military service (in the Nazi forces) was to "do his best with faith in the cause of his Volk."

Primacy of the Conscience

Both ignore a factor one might expect theologians and archbishops to give primacy: the Christian's moral obligation to listen to and obey his or her conscience—even the "erroneous" conscience. Advising unquestioning trust in any war-making government's policies and actions is a tragic parody of spiritual counsel that could lead to support for and participation in an unquestionably unjust war—as it did in the Third Reich.

The Selective Service law restricts C.O. status to those who profess the absolute rejection of "war in any form" associated with the "peace churches" (Quakers, Mennonites, Brethren, etc.), thereby denying equal recognition to Catholics and members of other mainstream churches which make a distinction between "just" and "unjust" wars.

During the Gulf War, I counseled many men and some women in the reserves or already in active service who had come to the conclusion the war was morally unjust. Although all the armed forces make provision for discharge on grounds of "crystallization of conscience" (the term for service-initiated conscientious objection), the Selective Service definition applies in such cases too. As a result, many encountered difficulties, and those who persisted in the refusal to violate their conscience ended up "in the brig" after a court martial. In a couple of cases, I was told, the death penalty was even considered!

Draft registration continues. In its 1980 statement, the Administrative Board of the Bishops' Conference voiced no objection "in principle" to such registration but insisted there had to be "convincing reasons for this there had to be" "convincing reasons for this at any particular time." Last year the Secretary of Defense officially informed the President that studies conducted under Pentagon auspices reported that peacetime draft registration "could be suspended with

no measurable effect on military recruitment." As of now, 18-year-old men who, for whatever reason, fail to comply with registration procedures, continue to be subject to severe prison terms, heavy fines, denial of federal (often state as well) educational assistance and loans as well as other penalties. For "convincing reasons?"

So, in *The Harvest of Justice is Sown in Peace*, we have another inspirational text applauded and approved by the bishops in conclave. It can be credited with making some significant improvements over the pastoral it honors in its call for a "no first use" commitment and the rejection of any resort to nuclear weapons to deter non-nuclear threats. It supports a halt to nuclear tests and negotiation of a comprehensive test ban treaty. Not to be ignored is its endorsement of papal appeals for curbing the international arms trade, and it notes with regret this nation's role as "the world's largest supplier of weapons."

As a renewal of the peace pastoral's commitment "to build a peacemaking Church that constantly prays and teaches, speaks and acts for peace," *Harvest* sets forth an admirable program of action stressing "regular prayer for peace" and making "every liturgy a call to and celebration of peace." But the question must be asked: Do the bishops who vote for statements like these check to make sure that local parishes respond to "the Scriptural call to peacemaking" and make it a "constant source for prayer and preaching?"

The Education Record

The record is not encouraging. A few years ago, the Center on Conscience and War undertook a sampling of Catholic high schools to see to what extent the Church's teaching on peace was given priority in their religious studies programs. Of the almost 300 schools to which questionnaires and follow-ups were addressed, only slightly more than a third responded—and many of these fell short in covering such topics as the just war conditions, the legitimacy of Catholic conscientious objection, and the bishops', even papal, statements on the morality of nuclear war. Some of the widely used textbooks failed to deal with the subjects as well. Education may indeed be a "work of peace," as *Harvest* insists; but I suspect a similar review would show that Catholic colleges and universities are more likely to incorporate military training (ROTC) in their educational programs than formal peace studies.

The reader who may be tempted to dismiss these comments as an exercise in "bishop-bashing" is mistaken. I do not question the value of statements issued by the bishops on the subjects of war, peace, and conscientious objection. But I fear they mean very little unless they are translated into active diocesan programs which engage the full participation of parishes, the men and women in the pews, all the Catholic faithful. When bishops vote, it must not stop there. Failure to follow through with a meaningful exercise of spiritual leadership and authority is almost certainly a guarantee that God's promise of peace will remain unfulfilled. ✚



Sally Elliot

contribution was that the specific review of the traditional conditions of the "just war," a topic usually left to professional discourse, was now spelled out for ordinary men and women in the pews. This benefit, however, was soon dissipated in the failure of responsible Church leadership to challenge apparent violations of those conditions in Grenada, Panama, and especially in the Gulf War.

For those, like this writer, who refuse to dismiss *The Challenge of Peace* as a "dead letter," the anniversary reflection was a source of re-awakened hope. It, too, was approved by the bishops without serious opposition. Perhaps it eventually will renew the enthusiasm stirred by its predecessor. To this point, however, that promise gives little sign of fulfillment.

Though some individual bishops have made heroic efforts, the hierarchy as a body has done little to marshal its full legal and organizational forces to promote the commitment to peace it so regularly proclaims in its annual conclaves. On active opposition to abortion, yes; on war and preparation for war, seldom. To this admittedly biased observer, who has played the role of "radical" Catholic pacifist for more than a half-century, efforts to give substance to declared peace objectives are usually outweighed by the combination of excessive caution and affirmations of

objection to participation in a particular war, either because of the ends being pursued or the means being used." To add emphasis, they described this as a "moral conclusion which can be validly derived from the classical teachings of just war principles."

Now, we have *Harvest* with its "agenda for action which will guide the Conference's future advocacy," an agenda including the pledge to work for "legal protection for selective conscientious objectors and improved protection for conscientious objectors."

Over the past few years, some members of Congress have sought to introduce legislation to broaden the Selective Service Act to make such a provision. To take advantage of this more promising atmosphere, I sent personal appeals to several Church leaders suggesting they give public support to these efforts. Only one—the Archbishop for the Military Services!—expressed willingness to do so, even requesting that I draft a letter he might send to the Chairman of the House Armed Forces Committee. Other bishops responded with gracious notes without committing themselves on the issue—gracious, that is, except for one Archbishop who wrote a three page letter rejecting the suggestion.

He stated the issue correctly enough, describing the selective objector's position as one which, while accepting the traditional

FRIDAY NIGHT MEETINGS

In keeping with Peter Maurin's recognition of the need for ongoing clarification of thought, we invite you to join us for our weekly Friday night meetings. The meetings are held at either Maryhouse—55 East Third St., (212) 777-9617, or St. Joseph House—36 East First St., (212) 254-1640. As far ahead as we or St. Joseph House—36 East First St. will be marked with an *. Both houses can see, those we will hold at First St. will be marked with an *. Both houses are between First and Second Avenues (2nd Ave. stop on the F train).

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For more information about the program, registration and accommodation, contact NDE at 1500 34th Avenue, Oakland CA 94601. (510) 261-1005.

A Blight On The Countryside

By TIM NOLAN

Home, home on the range, where the deer
and the antelope play/Where seldom is heard
a discouraging word, and the skies are not
cloudy all day.

On a recent visit to my home state of Colorado, my brother and I made the day-long trip to the southern plains of Wyoming acclaimed in this traditional American folk song. Our trip was not one in search of traditional folklore though, but rather to visit and reflect on that which threatens its very existence, the missile silos, spread throughout Wyoming and other western states, which contain America's nuclear arsenal. Amid Wyoming's vast open ranch land, unbeknownst to many of the families who live and work in its fields, lie over 200 Minuteman and MX nuclear missiles which remain on 95% alert, despite "the ending of the Cold War." Our trip was simply to be near these hell holes, to strip these weapons of their anonymity in our lives, to demystify them, and to contemplate their immoral existence in our world and our moral response to their existence.

From nearby country roads, the missile launch sites/silos are inconspicuous. Only a couple of acres each and surrounded by simple metal fencing, they exhibit little more than a few poles and metal parts around a large, flat, concrete slab—the missile silo lid. They could easily be mistaken for small electrical power substations. But within this apparently innocent "substation" exists a 39-ton weapon with two to three nuclear warheads—each warhead 15 to 25 times more powerful than the atomic bomb that destroyed Hiroshima in 1945. Each silo contains more potential death and destruction than all the bombs dropped on the Soviet Union by Nazi Germany in World War II. Standing quietly in the Wyoming plains, one gains a greater sense of

what it is like to be amidst complete insanity and the overwhelming power of death. Similarly, one reflects upon this power of death's hold over one's self: the violence within us which allows these monsters to exist.

Our first silo was located alongside a nearly-deserted dirt road in southern Wyoming. As we walked near its secured fence, we were keenly aware of the warning sign posted at its entrance: "Use of Deadly Force Authorized." This seemed an appropriate warning, being that we were standing next to one of the most deadly weapons of force on the planet. We also became quickly aware of the two civilian Air Force laborers within the fenced area, as they, too, suddenly were aware of our undesired presence. "What ya want?" we were asked. "We're just looking" came our honest reply. "Well, if you don't get outta here, ya' gonna' be lookin' down the barrel of a rifle." Working and living amidst violent weapons, be they nuclear or semi-automatic, affects our own psyche in such a way that the only response we know is threats of further violence toward another. Our challenge is to respond in a manner contrary to the weapons' overwhelming violent force. To be amidst all weapons in a spirit of disarming nonviolence is our only true hope. We decided not to move on to another silo.

The next three silos we visited were deserted, allowing us to be near them in the reflective manner we desired. Standing quietly near such a beast on the open plains of this western state, one cannot help but feel the pulse of violence that drives this threatened society. Likewise, one finds oneself searching desperately for an answer which moves us toward survival, an answer rooted in one's self and in community.

We are all violent and that must be named and understood. It is this violence within us which allows for the existence of these beasts. But we are also all nonviolent, an alter-

native side of ourselves as individuals and as community which is too seldom explored. But we have come to the point in our history where, as Dr. Martin Luther King, Jr. observed, we must choose between nonviolence or nonexistence.

We must renounce our weapons of violence: in our nation, in our community, and within our individual selves. The semi-automatic weapons which threaten the lives of so many in our inner city communities are merely reflections of the grandiose weaponry that our government insists on maintaining as a threat to all life. Our government, which in actuality is us, remains bewildered to the causes of the increasing violence in its cities, as it maintains weapons of violence unparalleled in the history of humankind. The child learns from the parent.

In a similar vein, as individuals we must name the weapons of violence within our own lives and renounce them. These weapons, be they our own ego, racism, homophobia, etc., are as powerful and destructive to community as the megaton weapons which lie guarded in the Wyoming plains. As individuals, community, and nation, we must stand next to all our manifestations of violence in a reflective manner, struggle for the renunciation of their existence, and move toward more life-affirming alternatives. ✦



Julie Lonnema

From The Book Of Notes

By RIC RHETOR

"The Death Penalty—We Can Live Without It," the message of the National Coalition to Abolish the Death Penalty (1325 G St. NW Washington, DC 20005). This sticker appears on the door of our auditorium over at Maryhouse, along with notices and newspaper clippings pertaining to capital punishment. We've not had the death penalty here in New York State since 1963, long before most of us have lived here. By the time this goes to press, we fear it will have been reinstated by New York State legislators. We must keep this issue of calculated, state-sponsored terror before us, no matter where it exists.

It's puzzling to see a photo of our new governor on his inaugural day, at Mass in the Cathedral up in Albany, the state capitol. With his beautiful wife and children, they make a handsome family portrait. He is seen deep in prayer, perhaps, when the photo is taken. Yet he wants to reenact the death penalty and has apparently bought the argument that, somehow, one is more humane in executing someone through lethal injection. Not long after his inauguration, another picture was taken in the same Cathedral, with Catholics and non-Catholics alike, praying together that all life would be seen as sacred and therefore ending capital punishment. Among the participants were members of the Bruderhof, a group close to the CW and descended from the Anabaptist tradition.

Meanwhile, we too, have had some delightful visits with members of the Bruderhof, down from their Deer Spring, CT community, not too far from New York, as well as folks from Ulster Park, NY. They are always anxious to give us a hand, this time spending most of their visit folding and labeling the paper and joining the usual repartee

that takes place in Maryhouse auditorium, the main "workshop" for getting out the paper.

Tom Lewis was here a couple of nights, from Worcester MA, the House of Emma. Tom, one of the Baltimore 4 and Catonsville 9 of 1967-68, is a gifted artist and veteran peacemaker. He was here for a court appearance for the civil disobedience which some did at the USS Intrepid over the Martin Luther King weekend back in January. Because of some glitches in the system, Tom, Jim Munvies, Peter DeMott and Carmen, were held longer than the others. And for some mysterious reason, bureaucracy having its own rituals, Tom was kept the longest, managing to use the time to do sketches with mayonnaise and caked-on grime found along the benches in his central holding cell! Tom reminded us once again just how brutal these places are, through the medium of art. And, I must say, the sketches he made were utterly bleak. Incidentally, he is providing the illustrations for Dan Berrigan's new book on the prophet, Ezekiel. Tom gave each of our houses a gift of his etchings, giving one also, to our neighbor, Roselle. (She came in to lunch, admired his work and Tom was delighted to have one to offer.)

A great time was had by all when Heidi and Brian, recently married out in Kansas City, got back to New York City. Talk about art: Whiskers drew two enormous body-sized drawings which he then hung up at the front of St. Joe's on either side of the dining room, and bearing uncanny resemblance to the newlyweds. Siobhan made a wonderful couple of purple-frosted cakes, one being for birthday celebrator, Kerry, much surprised to be sharing a belated birthday with Heidi and Brian's fete. Vinny whipped up some baked ziti and Sabra helped with decorations.

Kassie had a visit with friends Ernie and Tina Dyck, from Canada. They got a flavor of Friday night CW style, participating in one that Carmen led on the School of the Americas (SOA), the training center at Fort Benning, Georgia, for Latin American soldiers—many, later involved in human rights abuses. This meeting proved to be highly charged, as Carmen brought forth a litany of ways that our government has aided and abetted death squad activities, funded notorious projects of repression—the list is legion.

Some feel that we put too much emphasis on the bad things done in America and that, even as we do so, we are speaking from positions of relative comfort. Dorothy used to admit unabashedly to a love for our country, which she saw as quite different from a blinding patriotism that could prevent us from announcing God's law as supreme above all other, no matter the land.

One Sunday afternoon, two Australian visitors, Kathleen Tynan and Pam Lipton, dropped by. Dee got them some tea and Jane was able to hear about the peace movement in Australia and the hunger crisis in southern China. Pam is teaching English at a university in one of the southern provinces of the People's Republic of China. She told of how another teacher, also from Australia, brought along a copy of *By Little and By Little*, the collection of Dorothy Day's writings (edited by Robert Ellsberg and now in paperback as *Selected Writings*, Orbis Books, publisher). Pam was quite moved to be reading these in China, a land which has known immense upheaval and suffering.

About a week after Kathleen and Pam's visit, Ernst Winter stopped in to renew his subscription. Now living in Austria, he works with the United Nations in Vienna. Ernst told us about the recent death of his wife, Johanna von Traud Winter, one of the children of the

famous Von Trapp family depicted in **The Sound of Music**. Ernst first came to the CW in 1939 as a young refugee, helping at the house on Mott Street.

"What we do is very little," Dorothy wrote once, and yet it can be multiplied in marvelous and contagious ways, good measure pressed down and pouring over, in the words of Scripture. This last item we owe to our archdiocesan Newspaper, **Catholic New York**. Editor Anne Buckley talks about one of those people who were wounded by a very troubled man at the end of 1993, a man who went on to kill six people in the same attack, on the Long Island railroad. The survivor, a former county prosecutor, now in private law practice, is an outspoken critic of the death penalty, unusual for one who could have been the victim of someone else's definition of "capital punishment" that day on the train. Tom McDermott, the subject of Ms. Buckley's column said about the man who did the murdering and maiming, "What benefit would there be to society in killing him, other than revenge, the poisoning of our minds?" Prior to this near fatal experience, Mr. McDermott was staunch supporter of the death penalty; it seems miraculous that, within a period of several months, fighting bitterness and the desire for revenge, Tom McDermott did make such a turnaround. Says Anne Buckley, Tom McDermott believes: "God in His mercy and benevolence spared me..." He added, "If we don't have reverence for life, all life—human, animal and plant life—something is taken away from us as human beings." Concluding her article, Ms. Buckley writes about the fruit of his understanding, "...Out of that reverence comes love, compassion, mercy, caring, seeking justice," he said. We pray that our new governor will listen to such a humane and eloquent voice. Such goodness could change us all.

The Road To Peace Is Long

(Continued from page 1)

me," Rufina said in her testimony, "and I promised Him that if He helped me I would tell the world what happened here."

Evaluating President Calderon Sol's first hundred days in office, last August, the editors of ECA urged the government to effect "radical structural changes." Social assistance programs "can mitigate hunger but will not generate employment. What the people need is work and better income." Measures must also be taken to correct the concentration of property, the editorial stated.

While the president boasts of economic growth, "macroeconomic gains do not improve the quality of life for the majority." According to a survey in early September 1994, 48% of the population stated that its economic situation has worsened since June, while 34% said that it stayed the same.

The most serious problems mentioned by the people are crime and economic difficulties. Analysis of the survey according to social sector shows that crime has become the most urgent problem for the upper and upper-middle classes while the economy is a source of greater concern among lower class groups.

Forty-two percent feel that the government is concerned only about the very rich. The editorial points out, however, that in reality official policy favors one sector of the wealthy—the commercial importing group. Lower import duties mean increased profits

for this group but financial ruin for the country's small manufacturing industry.

"While the government speaks of defending life from the moment of conception, it is not concerned about life after birth. Or, it is not concerned equally for the life of all but rather protects the wealthiest by giving them more privileges."

One sector whose life is considered perhaps cheapest of all is the prison population. In the first hundred days, the nation saw eleven prison rebellions resulting in 25 dead and 64 wounded.

The editors recognize that one hundred days is too short a time to expect to see results; what troubles them, however, is the lack of programs and policies which would move in the direction of solving the people's problems. Also disconcerting is the "disorganization, lack of definition, and disorientation of the opposition parties, including the FMLN. The latter has failed to insist firmly on the implementation of the peace accords; land transfers, the reinsertion in civilian life of the demobilized combatants, the new police, the reform of the judicial system, and the mechanisms to defend human rights. The overall goal of the peace accords—the transition from an authoritarian regime to a democratic one—remains to be achieved."

The National Civil Police is still not in place throughout the entire country. In the new police force, two important units—criminal investigation and anti-narcotics—were transferred wholesale from the old National Police. From March to June of last year, the UN's human rights division received 147 denunciations of human rights abuses by the new police, 58 of which were verified. Some of the violations consisted of arbitrary arrest, excessive use of force, and torture. The UN report suggested that these offenses "may stem from the inclusion of the two units mentioned above in the Civil Police."

At the time of the fifth anniversary observances last November for the slain priests and the women, travelers, hoping to attend the services, were forced to spend the night in San Miguel, three hours from San Salvador. Bus workers and owners blocked the Panamerican highway in a demonstration against competition from a growing fleet of allegedly unlicensed micro-buses. The National Civil Police and the army issued an

We are the community that, in the voice of the Spirit, in the promise, in the breath of Christ, has received the Spirit. "Receive the Holy Spirit," Christ Himself explained, "As my Father has sent me, so also I send you." It means the Church is born with this breath of Christ, and the mission which the Church will bring to the world, through all ages, will not be a cause other than Christ, dead and resurrected. The Church celebrates her liturgy, preaches His word, only for that, to save us from sin, to save us from slavery, to destroy idolatries, to proclaim the one God Who loves us. That will be the difficult task of the Church for she knows that, in order to complete this mission, Christ gained a Cross and humiliation, and the Church, too, will have to be disposed not to betray that message, and, if it is necessary, as Christ did, to suffer martyrdom, to suffer the Cross, humiliation, persecution....

St. John's Epistle of today speaks of

ultimatum to clear the road after only a few hours of negotiations, with two protesters and one soldier dying in the ensuing gunfire. In his homily to mark the November 16th anniversary, Jesuit Provincial Jose Maria Tojeira said that El Salvador needs courageous persons who can unmask "the rhetoric of those who tell us that things are going better when the protesting bus drivers in San Miguel are shot down in the street in a situation which should have been settled through dialogue."

Father Tojeira also touched on the judicial system in his homily at the Mass, noting that the system needs reform not only because of its problems of corruption but because of its inability to treat the poor majority and the wealthy minority equally. (Corruption in the judicial system, a problem denounced publicly in his day by Archbishop Romero, received special publicity on November 2 of last year, when the chief of the UN Observer Mission named fifty corrupt judges. President Calderon Sol, vowing to "defend the national dignity" against such foreign intrusion, insisted that this was a matter for El Salvador's Supreme Court to handle. The day before, UN Secretary General Boutros Boutros Ghali had recommended that the mandate of the UN Observer Mission in El Salvador be extended through April 1995, since "the reforms of the judicial system, the recommendations of the Truth Commission and... programs especially with regard to land transfers are proceeding at a very slow pace.") Father Tojeira summed it up, "What Archbishop Romero said remains as true as ever: Salvadoran justice is like the snake—only the barefoot get bitten."

Structural Injustice

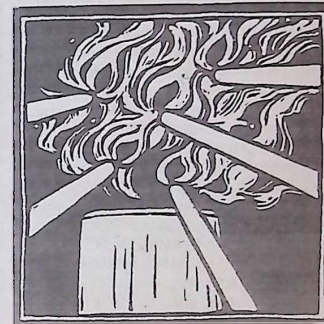
He also called upon the people to struggle against the conditions which caused the war "and which persist, some in lesser measure, in our society today. Corpses with signs of torture continue to appear, political leaders are killed, poverty is still the main plague of the country, the inadequate health system marginalizes and hurts the poor, a landslide in the garbage dump of Santa Tecla buries alive people who had neither house nor job, prisoners are massacred and the prison system's director keeps his job."

In recent summit meetings, the Central American presidents recognized the critical social and economic situation of their countries and vowed to fight poverty. They also called for international cooperation to make this possible. They felt obliged to make this plea since, as an editorial in the Mexican journal *Proceso* put it, the world "tends to jump to the premature conclusion that the region is living in peace and democracy, and is not willing to invest in the eradication of structural injustice."

The United States, is "the most generous country when it comes to financing wars which serve its foreign policy..." according to the editors. "At least it should invest the same amount as it spent on financing the

the Spirit of Truth. This means that the Church of God, enlivened by the Holy Spirit, bears the capacity for truth. Dear brothers and sisters, to bear the capacity for truth is to suffer the interior torment that the prophets suffered. Because it is much easier to preach lies, to silence truth, to accommodate oneself to situations, so as not to lose advantages, so as always to have flattering friendships, to have power. What a most horrible temptation for the Church! Nevertheless, the Church, which has received the Spirit of Truth, has to be ready not to betray the truth. And if it is necessary to lose all privileges, she will lose them, but she will always speak the truth. And if they slander the Church, she knows that they do so because she is speaking the truth. This is the mission Christ entrusted to the Church on the same night of His Resurrection.

—Oscar Romero, murdered 24 March, 1980



Julie Lonneman

region's wars. The other industrialized countries which made substantial profits from selling weapons should also feel obliged to contribute something.

"However, short-range thinking and failure of vision seem to be dominant. The United States told the Central American presidents that it will not condone their foreign debt of \$25 billion.... It is estimated that Central America needs about \$10 billion in the next five years in order to begin to overcome its underdevelopment. For the region, this is an enormous and unattainable amount; in relation to US military spending it is insignificant.

"International aid ... will be ineffective in the absence of radical national and regional changes. To advance in the struggle against poverty, the Central American governments will have to confront their national oligarchies and the multinational corporations, since these are not concerned about the well-being of the region's majorities."

Where is the hope for the post-war El Salvador, then? Many find it in the courageous testimony of the martyrs and in the ongoing struggle to forge a different society. Fr. Tojeira ended his homily with a call for persistence and perseverance. "This is a good moment in El Salvador," he said. "There is peace, a greater capacity for dialogue, and more freedom. There is much greater interest in righting corruption, crime, drug traffic, and in banishing forever the activity of the death squads, reduced but still alive today. The impoverished are organizing themselves and seeking to defend their rights. This is a good moment, but many of us are not seizing it as we should."

"The road to peace is a long one, and as we move ahead we see more clearly how far we still have to go. We have gone forward, there is generous blood in the foundation of this struggle. How could we betray this history of generosity for the simple and banal reason that the goal is not yet within reach? Let us have no doubt that the Lord is always among us, the strength of our journey, giving meaning to our successes and failures, in so far as our struggles are in keeping with the values of the Gospel."



Julie Lonneman

Charity Harbors No Fear

By ST. AUGUSTINE

...[T]he Apostle says himself by way of instruction: "I so fight as not beating the air; but I chastise my body and bring it into subjection, lest perhaps, after preaching to others, I myself should be found rejected." Similarly: "Be imitators of me as I am of Christ." From this we are to understand that the Apostle himself had won an interior victory over the powers of the world, such as he had spoken of concerning the Lord, Whom he professes to imitate. Therefore we should also imitate him, as he exhorts us, and, if we would overcome the world, we should chastise our bodies and bring them into subjection. For it is by sinful pleasures, by vanity, and baneful curiosity that the world can obtain the mastery over us. That is to say, these things of the world, by their deadly delight, enslave the lovers of things transitory, and compel them to serve the Devil and his angels. But if we have renounced all these things, we should bring our body into subjection. (From Chapter 6)

Let us be fed in Christ, nourished by the milk of a simple and unaffected faith. While we are children, let us not long for the food of adults. But, let us grow in Christ by wholesome nourishment, by the acquisition of good habits and by Christian righteousness, where in the love of God and neighbor is made per-

fect and strong. In this way, each one of us can win the interior victory over the hostile Devil and his angels, being united with Christ, Whom we have put on.

Perfect charity harbors neither covetousness nor fear of the world, that is to say, perfect charity is neither covetous to acquire temporal goods nor fearful of losing them. These are the two doors through which the enemy gains entrance and obtains the ascendancy over us. He must be driven out; first by the fear of God, then by love. We ought, then, to long more clearly for the clear and distinct knowledge of Truth, according as we see ourselves advancing in charity, having hearts made pure in its simplicity, for it is by the eye of the soul that Truth is perceived. "Blessed," indeed "are they that see God," heart," says Christ, "for they shall see God." So that, being rooted and grounded in love, we may be able "to comprehend with all the saints what is the breadth and length and height and depth, to know also the surpassing knowledge of the love of Christ, in order that we may be filled unto all the fullness of God."

And when our struggle with the unseen enemy is over, may we deserve the crown of victory. To those who lovingly desire Christ, His yoke is easy and His burden light. (From Chapter 33, The Christian Combat) ✠

IMAGES OF IRAQ

By ANNE MONTGOMERY, RSCJ

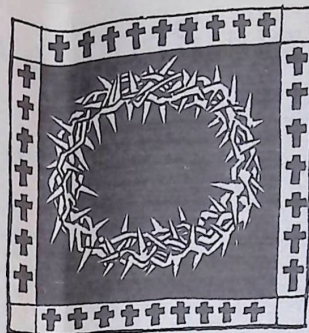
There are times, most of the time, when only images can convey meaning while statistics numb the brain. The mortality statistics of the young, old, and vulnerable caused by the embargo on Iraq are horrifying, especially as the rates increase year by year since 1989. According to a German medical study, for example, the 1994 death rates through November for children under five were 6.5 times higher than in 1989; for those over five, 3.5 times higher. The reality, however, is one child at a time. In the cancer wards of the best children's hospital in Baghdad, each bed holds a mother holding a child who, in 1988, would have had the best care and cure a modern hospital could provide. One mother hugging an infant close to her breast turned it to face me. Under pressure from the cancer, the baby's eyes bulged to three or four times their natural size. I do not know if the child could see, but I am sure that, conscious or unconscious, this infant's spirit stood before the face of God, a silent advocate for all the innocent who are the inevitable victims of war and embargo.

From the distant past, a far different image still stands in the ruins of ancient Nineveh, located by the Tigris river in present day Iraq: the guardian of the gates—a bull with a man's head and eagle's wings. The face suggests dynamic intelligence; the legs, power, planted firmly on the truth; the wings, transcendence. Seen from the front it appears still, from the side in motion. As a symbol, it points to many things: the combined powers of nature as well as the god-like qualities ascribed to the kings. As a whole, it suggests a vibrant presence, an inspiration to courage and ruthlessness for warriors or to creativity for builders. Such Mesopotamian figures are reflected in Ezekiel's vision of the four winged creatures, combining animal with human features and also suggesting both stillness and motion. The power is angelic and the message a choice for

God's people between conversion and judgment, a story and a natural heart. (Ez. 10-11)

What is the relationship between these images, a helpless child and the angels of the nations? Both call us to wake up to reality. The face of the child jolts us out of our defenses to purify our clouded vision, to go beyond the political and military institutions that are the "powers" in our world and to discover the spirits that inform or challenge them. The guardian of Nineveh suggests, like the angelic throne of God, a harmony between human and natural forces, but also a vision and power which can move in many directions for good or evil—uphold divine justice as a protector of the weak or become their oppressor in defense of power and wealth. Such images embody the myths and spirit of the peoples who shape and are shaped by them.

Walter Wink, in his trilogy on the powers (*Naming the Powers*, Fortress Press, Philadelphia, 1984), argues for an awareness where we cannot separate the inner and outer aspects of the political and social structures of power, nor can we truly change the structures unless we also transform the spirit which informs them and endures through any efforts at surface reform. Our struggle also involves addressing the relationship of our personal idols and aspirations with those of our nation and culture. The myths and images help us to perceive the inner spiritual reality and so to speak to the truth that is greater than "facts." For me, the dying baby with protruding eyes not only wrenched my guts and my conscience, but also enfolded the ultimate effect of an embargo imposed, not by a monstrously cruel individual but by impersonal structures, national and international, inspired by the spirit of greed and power shared to some degree by most of us. I saw the symbol, the "god," of that spirit in the pre-dawn sky over Baghdad; two "eyes,"



Joan Hymé

satellites, the idols of a technology which can distance perpetrators from victims.

But the child also begs us for hope. If we are willing to look into those bulging eyes and see our souls laid bare, to accept the embracing love of the mother, then it is possible to believe in the message of the Cross, that, in reaching out to those who reach out to us, in accepting our own vulnerability and sinfulness in repentance and forgiveness, we can take our personal and national responsibility to unmask lies and evasions and to confront injustice without succumbing to its methods. In this fiftieth anniversary year, we must speak out against any glorification of the powers which usurp the place of God and claim the right to fire bomb, nuclearize, or fuel-air bomb human beings made in God's image or the earth which sustains them. The technology changes, but the spirit of violence endures to be justified by reshaped myths of heroes and demons. Fidelity in prayer and action can open the way for the angel of our nation to begin to respond to its true vocation. It will call us to open our hearts and gates to the vulnerable of the world. Then, the image of the woman before those gates in New York harbor, with the torch she holds, will come to mean what it portrays.

ELEANOR GOFF-DOERFLER

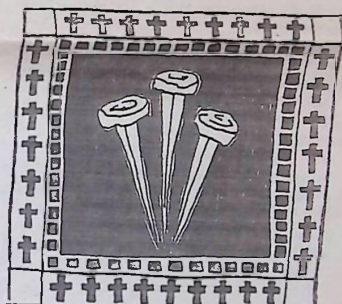
By ROBERT STEED

I first met Eleanor Goff about twenty years ago, when she was conducting dance therapy classes on the top floor of Maryhouse on Third Street. I didn't meet her again until last year, when her attorney, Sheila Dugan (1958 CWR) asked me to witness Eleanor's will. They had met through the Gay Men's Health Crisis Center (GMHC) where Sheila does *pro bono* wills and estates. We went to Eleanor's apartment on West Tenth Street, off Broadway, where her nursing aide and I witnessed the signing of her will.

She was just as I had remembered her, enthusiastic, generous (she served us tea and cakes) and vital, if just a little tired. We didn't stay long, but managed to cover shared memories of the summer we had met, the classes she had given, the participants, the Catholic Worker and Dorothy Day. Eleanor asked particularly after one young man with blond hair. I couldn't remember his name and hadn't seen him since that summer, so was unable to tell her anything about him. He had, at any rate, made enough of an impression on her to be immediately recalled after twenty years. Perhaps he will read this and be pleased to know she remembered him.

I discovered through *The New York Times* obituary that Eleanor was a member of the Martha Graham Dance Company at one time, and had developed her dance therapy techniques for professionals. Later, she had adapted them for people with AIDS.

Eleanor, herself, died in her home last week, aged seventy-one, of complications from the AIDS virus. Her son and daughter were with her.



Joan Hymé

the land be returned in the same good condition it was received.

Speaking about mortgages, my father had to borrow money from time to time. But he borrowed it on his honor as a farmer, and a good farmer. There was no mortgage. When the man who loaned the money wanted it back, my father paid it if he had it, or if he didn't, he tried to find another person to lend him the money until he could pay it. He would then repay the first lender. It was all done on honor, no mortgages.

How about chickens? Did you have to buy grain?

No, because we processed our own grain. We grew it ourselves. The chickens ate the gleanings, and there was a lot of undigested grain from the animals around, too. The wheat straw was mixed with the silage, and there was often some grain on it. The chickens scratched for the undigested grain. The chickens got the leftovers from the meals, also. We had no ice, and food wasn't kept from one meal to another.

Did you make your own bread in the village?

Yes, the bread was made in the village oven, which was an outdoor oven. It had a covering in front to protect the bakers from the rain. The people from the village used to gather around the oven when baking was going on. It was a great place for round-table discussions.

Interview With Peter Maurin

(Continued from page 1)

The schools most often are to blame. They hold up city ideals. The children are educated even in country schools to look up to city living as a superior form of living. The ideal that working with your head is superior to working with your head and your hands is taught or implied.

Does the idea of a piece of land for himself have to be held up to the child as an ideal so that he will stay on the land?

Something much more than that is necessary. You must realize the selfishness that is in the child and try to offset it. If the child is taught to consider material ownership as a sole badge of respect, he is not taught enough. He must be taught the idea of using material things to help other people. This is the idea of stewardship, which is so opposed to the idea of absolute ownership of property.

We were speaking about folk schools. Have you any further ideas on them, Peter?

We need these folk schools so people can understand the significance of folk cultures and can learn from these cultures. The folk dances and folk songs help us to understand. Consider the Negro spirituals. The rhythms came from Africa, and the Negroes of the South applied them to what they had learned of Christian teaching, and out of the two came a new cultural development.

You can see the effect of good liturgical music in a parish where there is a participation of the people in the singing.

That is a good way to convey the liturgical spirit. After all, it is through military music that the military spirit is conveyed to the people. Good Gregorian chant, participated in by the people, will increase the spirit of prayer and wonder, the true liturgical spirit.

Somewhere I read, Peter, that much of the religious spirit of the Middle Ages came from the common practice of learn-

ing the psalms by heart. Then, when the people were working, the phrases constantly made them try to create a synthesis between the matter they were working with and the spiritual significance of their work.

That is how they related all things to God.

Will you tell us something about the farming methods in your home in France, Peter? That was folk farming, the real peasant kind, and should be enlightening to those who wish to know more about cultivation.

There were about 3,500 sheep in our village and a thousand of these belonged to the people of the village. The others belonged to others from some distance away who brought them to our sheep herders to care for at certain times of the year.

Did the sheep graze on the communal lands?

Yes, in the daytime. Of course, sometimes when fields were lying fallow they would graze on private lands.

Why do you say daytime?

The sheep were brought into the private lands at night by the sheep herders for purpose of manuring.

How was this arranged?

It depended upon the number of fields a farmer had. The sheep were brought into the fields of the particular farmer whose night it was to have the sheep. The farmer's family prepared the meals for the sheep herders for that day. At 2 o'clock in the morning, the sheep herders would move the sheep from field to field, and in this way, twice as much land was manured. The sheep were as close packed as possible. All the families had their sheep in this communal grazing. Our family had eight sheep.

You had other fertilizing methods, didn't you?

Yes, we used the fertilizer of oxen and cows, but we weren't perhaps as scientific

about using it as we should have been.

You used no commercial fertilizer?

No; we never even had heard of it.

In that book by Lord Howard you gave me, entitled *An Agricultural Testament*, the author makes an awfully strong case against the use of commercial fertilizer. He says that it ruins the fungi and humus on the topsoil, and so makes for a weakened soil. Such a soil makes the plants weak and easily hurt by the bugs and insects.

Yes, I know. At home we used to have big burrowing rats in the fields—*taupes*, we called them. They helped to work the soil. The commercial fertilizer would certainly have killed them.

Perhaps they were like our gophers. But, anyway, Peter, if what Lord Howard says is true, and he gives a whole lifetime of study to back his ideas, then our methods of farming have been nothing short of criminal.

The other night I gave a talk on Catholic books, and the connection between reading poor books and soil conservation struck me vividly. The trees are torn down to make the cheap books. The land becomes eroded because the trees aren't replaced. The patriot would be, then, the person who read only the fewer good books, not the person who reads the trash.

We begin to see all the connections when we think in this organic way. A good farmer plants trees along the edges of his fields. That keeps the wind from eroding the soil.

Yes, and it also lessens the impact of the rain, which is apt to wash out plants and make the good topsoil run off, especially on hills. When I think how banks lend money on mortgages to farmers who only "mine" their land, I wonder how stupid they are. The land may look the same, but the loss is in the soil. I don't think that many mortgages demand that

discussion of food being not as good.

God Will Surely Require A Reckoning

By JENNIFER BELISLE

As a revolt against urban life, I began looking for rural writers, for their descriptions of life on the land. I read Willa Cather as enthusiastically as I had read Laura Ingalls Wilder as a girl. I also found the writings of Wendell Berry, whose work reminds me very much of Peter Maurin. In fact, if we are to follow Peter "back to Christ, back to the land" then Wendell Berry will be a great guide.

Mr. Berry is the author of several novels and collections of short stories, as well as poetry. He is more widely known as the author of over ten collections of essays on farming, nature and community. He is neither a farmer who writes, nor a professor and writer who lives on a farm. Instead, he is someone who has managed to embody Peter Maurin's "cult, culture and cultivation" to an extraordinary degree. Christianity to him is enormously practical, to the point that he terms the ideal economy "the Kingdom of God." The proper relationship of culture and nature is one that is useful, one that preserves nature. And, to Wendell Berry, cultivation, the practice of farming, is both "a practical art and a spiritual discipline."

In an interview, Peter Maurin said, "Our farmers too often aren't farmers at all. They are land miners. They just take stuff out of the soil and don't replace it right. The miner just takes things out of the earth and never returns anything. Look how different a psychology this creates from that of a farmer who tries to preserve the fertility of the land for coming generations. It is really soil robbing, and practices of this kind don't make for good character." He said that over fifty years ago, and now we can very clearly see the signs of soil robbing in this land, and around the world.

Both Peter Maurin and Wendell Berry indict the economy that our modern, industrial society is based on, one that "naturally" leads to agribusiness practices. Much of industrial progress seems to be fueled by the assumption that the curse of Adam, one of seemingly unrelenting toil, is one we can overcome by a factory industry and high technology, making manual labor obsolete. But it was in studying Genesis, the "pre-history" time before salvation history begins with Abraham, that Wendell Berry's writing became clear to me. Our toil, our manual labor is meant to have a direct connection to our needs.

Adam was told by God, "Cursed be the ground because of you; in toil you shall eat of it all the days of your life; thorns and thistles it shall bring forth to you; and you shall eat the plants of the field. In the sweat of your face you shall eat bread till you return to the ground, for out of it you were taken; you are dust, and to dust you shall return." (Genesis 3:17-19)

Instead of heeding this, not so much as a curse, but as the necessary ordering of the way things were to be, in a few short generations Lamech named his son Noah, saying, "Out of the ground which the Lord has cursed, this one shall bring us relief from the toil of our hands." (Genesis 5:29)

The covenant with Noah (Genesis 9:1-17) takes up the curse of Adam and transforms it in the language of the creation stories, so our "relief" comes from living as best we can with the covenant. "Be fruitful and multiply, and fill the earth.... Every moving thing that lives shall be food for you; and as I gave you the green plants, I give you everything.... For your lifeblood I will surely require a reckoning...."

We seem to remember only that God has "given us everything," and forgotten that He will "require a reckoning." But that reckoning will be one of the work of our hands, not an accumulation of our wealth. Technological relief from the "toil of our hands" is going to harm the land, as we can already see, and is going to weaken, if not destroy, our cultural and human links to one another. The connection between one's labors and one's needs is

also the reason usury is wrong—it is sinful to profit off of someone else's labor.

Let me concentrate on the thorns and thistles" the land has brought forth since Adam and Eve. Since Wendell Berry knows a portion of Kentucky farmland intimately, and the culture of farming in a familial way, he knows all too well the damage to the land and to people that agribusiness wreaks in the name of controlling the thorns and thistles. Writing about the loss of diversity—in types of crops and livestock as well as knowledgeable farmers, he says, "When cash grain farming comes in, the fences go, livestock goes, erosion increases, and the fields become weedy." ("Nature as Measure," *What Are People For?*)

Since bringing forth a harvest will always require physical toil, we cannot set ourselves against creation, and vilify the weeds. Mr. Berry also writes, "If we are gardeners, we have a legitimate quarrel with weeds; if, in Kentucky, we are trying to improve our pastures, we are likely to become enemies of the nodding thistle....Though we cut down the nodding thistles, we acknowledge their beauty and are glad to think that there must be some place where they belong. (They may, in fact, not always be out of place in our pastures; if, as seems evident, overgrazing makes an ideal seedbed for these plants, then we must understand them as part of nature's strategy to protect the ground against abuse by animals.)" ("Getting Along With Nature," **Home Economics.**)



Renato Ortega

That is how the curse can be transformed—by living in harmony with creation, by means of our labor. Instead, we have an agricultural crisis in a land with a myriad of supermarkets, where food is meant to be sold much more than it is meant to be eaten. If economic matters are more readily understood in the military-industrial context of woes, listen to Wendell Berry. "They [our leaders] believe that the difference between war and peace is still the overriding political war—when, in fact, the difference has diminished to the point of insignificance. How would you describe the difference between

modern war and modern industry—between, say, bombing and strip mining, or between chemical warfare and chemical manufacturing? The difference seems to be only that in war the victimization of humans is directly intentional and in industry it is "accepted" as a "trade-off." ("Word and Flesh," **What Are People For?**)

Ironically, the only time since the Depression that the country as a whole saw the need to "grow what you eat, and eat what you grow," as Peter Maurin exhorted, was during the Second World War, when many people cultivated their "victory gardens." But, as Pascal noticed, we were "lost and saved in a garden." Since the war, farming has become more and more dependent on what amounts to a factory model—labor plus raw materials (seeds and chemicals) with tools of production (the land) will produce food. The land fares especially poorly in such a model, and small farmers cannot compete against agribusiness, which controls vast amounts of land, as well as machinery. It gets government subsidies as well.

Global Thinking

Competition and misuse can only grow worse with the General Agreement on Tariffs and Trade (GATT), as it throws farmers into a global market. Global thinking is probably the biggest danger to agriculture everywhere. Wendell Berry objects even to the slogan "think globally and act locally," because, "properly speaking, global thinking is not possible. Those who have 'thought globally' (and among them the most successful have been imperial governments and multinational corporations) have done so by means of simplifications too extreme and oppressive to merit thought...." The alternative—"If we want to put local life in proper relation to the globe, we must do so by imagination, charity, and forbearance and by making local life as competent, independent and self sufficient as possible...." ("Out of Your Car, Off Your Horse," **Sex, Economy, Freedom and Community**).

Small-scale, decentralized life is an ideal of the Catholic Worker. Responsible thinking, and careful, frugal living will get us to that point. So will realizing that the value of the land cannot be measured in economic terms, nor can the value of our labor. Wendell Berry says, "We must achieve the character and acquire the skills to live much poorer than we do."

Voluntary poverty is another aim of the Catholic Worker. Dorothy Day once wrote about the Catholic Worker farms that they were "neither a success nor a failure. The main reason they have not developed more is because people are not yet poor enough or humble enough or holy enough to live together and work together. They are not poor enough because they are not willing to do without the plumbing and heat and fixtures which most workers in America have come to consider an absolute essential. They are not humble enough to acknowledge how little they know, and yet they all wish to be scholars, who direct the workers, rather than those who give themselves, their bone and flesh and sinew in daily hard work. And they are not holy enough to put up with the pinpricks and sword thrusts of common living."

She was right about our culture in general too, and a collective lack of poverty, humility and holiness has led us farther from the green revolution than ever. We are not willing to do without our industrial riches, or willing to turn from our supermarkets to our backyards. We see other countries as places to grow our coffee and rice and bananas rather than their own sustenance. We need our cars and appliances and manufactured goods, and see other peoples as cheap labor.

One of Wendell Berry's most important essays for the "back to the land" idea is in "The Making of a Marginal Farm." He writes about settling on a piece of land "one of my great-great-great grandfathers settled in 1803." He tells how his idea of a summer

I often think our Lord must have been terribly bored with the disciples very often, humanly speaking. Certainly, He wasn't picking out brilliant, accomplished, pleasing personalities with whom to live. Isn't it in today's reading where the mother of James and John wanted the best place for her two sons? So even the relatives were hanging on to see what they could get out of the situation. He certainly had to get away from them every now and then and do a lot of praying.

They say a mystic is someone who is in love with God, again using that comparison as the kind of love we should feel. This is one of the most absorbing problems of all the work, this relationship we have to all those around us, the tie that holds us all around the country together.



Jule Lonnema

place became something radically different. "By so little our minds had been changed: this was not going to be a house to visit, but a house to live in. It was as though, having put our hand to the plow, we not only did not look back, but could not."

Wendell Berry left the farming of his childhood and returned to it after a few years teaching college full time. He returned to the land from far less distance than most of us, myself included. The essay lists his work reclaiming the land, mistakes and all. It also lists problems on the farm, for example, a damaged water table and erosion problems, due to no mistake of his own, but rather to widespread misuse of Kentucky farmland in general. Elsewhere he writes that a "farm mentality can survive only in sustained vital contact with the land." As a culture, we have a serious shortage of farm mentality.

Passing Through The Surface

Mr. Berry said that, initially, the land was to be his subject matter as a writer. But after a time, "In coming home and settling in this place, I began to *live* in my subject and to learn that living in one's subject is to pass through the surface. The simplifications of distance and mere observation are thus destroyed. The obsessively regarded reflection is broken and dissolved....One's relation to one's subject ceases to be merely emotional or esthetical, or even merely critical, and becomes problematical, practical, and responsible as well."

That "passing through the surface" brought me from the journalism taught in college to the journalism of **The Catholic Worker**. It puts Wendell Berry in a vantage point that may be difficult to understand, because it insists on pulling us through too, until we reach the point that we must share responsibility with him. His writing is also delightful to read, which leaves the reader with a sense of hope, even in the face of all the work that needs to be done.

the work that needs to be done.

"From where I live and work, I never have to look far to see that the earth does indeed pass away. But, however that is taught, and however bitterly learned, it is something that should be known, and there is a good strength in knowing it. To spend one's life farming a piece of earth so passing, is, as many would say, a hard lot. But it is, in an ancient sense, the human lot. What saves it is to love the farming." (*The Making of a Marginal Farm, "Recollected Essays."*) +

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WORKER

Interview With Peter Maurin Work With Your Head & Hands

By ARTHUR SHEEHAN

[Excerpts from *The Catholic Worker*, April, May, June and July-August, 1943.]

Do you believe that people must have an agricultural college training before going on the land, Peter?

These colleges don't always educate persons to stay on the land. I am in favor of people learning by doing.

How can this return to the land be made a dynamic movement?

It takes dynamic persons.

What do you mean by dynamic persons?

Persons with convictions, who foster actions based on convictions, not based on someone giving orders.

Then the driving impulse must come from within people, you would say?

A leader must be a personalist. He will change the attitude of others through the power of example. It takes an awful lot of patience.

How would you break down that feeling of isolation people have in the country?

It must come from the development of a community spirit. We wish to be halfway between the collectivist idea of everything in common and the hermit way with people being rugged individualists.

How about community prayer?

There should be some prayer life in common, but it should come from an inner desire, not be forced. There also must be intellectual discussion as well as the work to be done in the fields and crafts.

You speak of the "three C's" often. What are they?

They are cult, culture and cultivation.
By cult, do you mean liturgical prayer?
Yes, community prayer and the relationship of our work to it.

What do you mean by culture?

There must be intellectual discussion, but it must come spontaneously, not be forced. It can be in the fields when you're working. It makes the labor lighter and breaks down that rugged individualist spirit which comes when people work alone.

And what about cultivation?

The private gardens needn't be so big. Then they will not take too much time for isolated work. More time can be spent in the fields together. There must be a balance. Different persons have different inclinations. Those whose inclination is to work with their hands more than their heads will become disgruntled if too much time is given to discussion. If not enough time is given to discussion and there is too much physical work, the intellectually-minded will fall away. People must sense when there is a lack of proportion.

What makes for a good morale on a farming commune?

It comes from harmony, when the emphasis on prayer, discussion and work is rightly balanced.

How many families do you think there should be on a farming commune?

You must adjust yourself to your acreage. It does not make for the ideal to have limits. It ceases to be a personal idea. There must be crafts besides farming.

Are you in favor of small groups?

People must know each other. You must try to do away with factionalism. Even one family could begin on a farm and build for others. You build as you go along. It is a progressive thing.

In other words, you want to get people on the land?

First to get them thinking, so that they see they should go on the land.

Why don't you believe in a formal training previous to going on the land?

Education is a life process. People learn by doing. Trouble is, people want blueprints. I don't want to give blueprints. Let them struggle with it. If the place is too small, there are not enough crafts, not enough variety. One thousand families wouldn't be too many, if they had the right idea. The craftsmen were the villagers.

My grandfather was a craftsman and a farmer. He was a carpenter, a quarryman, a slate worker and he made baskets to carry dough to the bakers. The trouble with agricultural colleges is that they prepare people for business farming. Better go out to a farmer to learn.

But what about ownership, Peter?

Families want their own land, their own house, although St. Gertrude said, "Property, the more common it becomes, the more holy it becomes." About ownership, the size of a piece of land depends on the size of the family. There can be the combination of the two kinds, private ownership and communal ownership. I always make a case for the communal ownership, which is the ideal. Here in America, people homesteaded, but they became the victims of their isolation, and their children left the farms and went to the cities. They forgot the village idea which was in Europe but went off by themselves.

How do you explain the fact that children often wish to get away from the farm?

(Continued on page 7)



Joan Hymn

The Road To Peace Is Long

By JOSEPH E. MULLIGAN, SJ

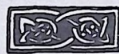
In the May-June 1994 issue of *Estudios Centroamericanos* (ECA), a Jesuit publication from El Salvador, the editors stated: "The structures which led us to twelve years of cruel civil war are still standing, intact and unchanged, in spite of the peace accords, in spite of the presence of the UN Observer Mission, and in spite of the thousands of dead and wounded—all of this in spite of the sacrifice and suffering of thousands and thousands of people, whose dream was to make El Salvador a place where people could live in peace, with work and dignity."

"The highly touted changes have only served to make the politicians relatively comfortable in their political life and have led some political analysts to tell us that we are living in transition toward democracy, thus easing their conscience as bourgeois intellectuals. But, the truth is that we are living in crisis, not in transition—a crisis which is economic, political, social, ideological, cultural, ethical and moral. Unemployment, inflation, and macroeconomic disequilibrium continue. The political parties of both right and left are leaky boats; some are more scandalous than others, but all, without exception, have lost our trust. Society is torn apart by crime.... Neoliberal doctrine holds sway over people's conscience, and it would seem that there is no other future except that of the society of death in which we are living."

During last year's fifth anniversary observances of the murders of six Jesuits, their housekeeper and her daughter, December 1981's El Mozote was also recalled. Both massacres, it should be remembered, were carried out by the US/School of the Americas trained Atlacatl battalion. Perhaps the most striking element of the anniversary celebration was the reading of the testimony of Rufina, who miraculously survived the Mozote bloodbath. After taking away and killing the men, the troops slaughtered the

women, but Rufina successfully hid behind a tree. Then she heard the soldiers talking about the need to kill the children. "If we don't kill them now," they said, "they will grow up to be guerrilla insurgents." Rufina heard her own son crying out that they were killing him. "I prayed to God that He help

(Continued on page 6)



UBI CARITAS?



By JANE SAMMON

A reader sent us a donation, a few names for new subscriptions, and the following five-word note: "Thanks for the good news." It was the kind of encouragement that makes us want to continue in these waning days of winter-tide, and look with hope to the spring. And this past winter seemed much more bitter, though not in any climatic sense. It is just that we New Yorkers are waiting for the impact of proposed federal welfare "reform," along with social and economic policies of our new state government, and city government as well. Many will directly threaten the poorest people; they are often the main victims of so-called financial crises, thus fulfilling all the clichés about budgets being balanced on their backs. Not that we see the state as the kindly dispenser of any real charity and justice, or that it should be. Hardly.

But this era has brought with it an unprecedented gap between wealth and poverty, and a constant national emergency akin to anything described as an "act of God"—hurricane, earthquake, flood. Yet, unlike these acts of God, the acts of man seem interminable in their duration and destructive power. The state, composed of human actors, helps to create the conditions in the first place, and also provides the hand outs—a pittance, particularly in an expensive place like New York. In the current city/state budget debacle, with talk of eliminating certain benefits for the poor, one of our bishops said that there would be no way that "charities" (how we have demeaned *caritas*, the beautiful root word from which this word derives!) could make up the difference. But, hasn't our Church already become woven to the state, having dipped into its coffers to fund various social programs via grants, tax exemptions and the like?

We hope and pray, however, that maybe we'll all learn to take care of the poor, of each other, really, without looking to the loaded and "strings attached" beneficence of Holy Mother the State, as Dorothy Day so aptly put it. Yes, that each of us have a little Christ room in our homes, our apartments, to welcome someone in need! That our parishes and places of worship be centers of hospitality, as Peter Maurin proposed.

And the path for all of this to be realized: that we give of our abundance; that we share our goods and talents with those about whom the state could care less, despite all its feeble protest to the contrary, its rhetoric about the commonweal. For ourselves, we pray for the courage to become poor, to live a life of voluntary poverty. This is the good news announced first by Jesus, and, please God, by the Catholic Worker movement, over the last sixty-two years of its life.

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St. Joseph House

By PATRICK WYNNE

Since making another in a series of appearances at St. Joseph's House, I have been spending some evenings over at Maryhouse reading back issues of our paper. At first, the immediate attraction to Maryhouse was the warmth and kindness of the folks who live and work there, but slowly the evening silences captured my attention—eventually leading me to pore over some of our CW papers. Again, my first reaction was to search for the comfort to be found in the articles of those I knew, even to the point of scouring the indexes in search of any sign of the O'Neil family. This act brought me to the lovely letter written by Mary O'Neil in the February '61 issue. There is such a gentle sweetness to the letter that one can almost touch the pain of loss, brought on by her death, when Roger or Siobhan speaks of her. These thoughts conjure up images of Brother Paul, Linda, Big John, Henry, Tommy's father, and others who have moved on from this life, yet who have left behind the wonder-filled memories which we tenderly carry of them.

In time, I began to perceive the depth of writers, whom I had failed to read until most recently: Peggy Scherer, Gordon Zahn, Eileen Egan, Jeannette Noel, Bill Griffin. There are many crosscurrents running through the paper, yet they meet at the struggle towards truth and humility. In all of the articles, which I have had the pleasure to read, there exists a sincere intention to express meaning relevant to the alleviation of the suffering which is so prevalent in our daily encounter with life.

When searching through the stacks of back issues, neatly arranged in chronological order, my initial instinct was not to locate any particular article or specific issue, but to find the dustiest, most yellowed copy. I sometimes felt as if I were beside a bookstore looking for a well-worn paperback, marked in the margins with scribbled, indecipherable notes, fingerprint impressions and tea stains. There is most certainly a measurable joy in the discovery of knowledge which is broadened by its bowing to the senses.

There is no denying, at this point, my fondness for aged, discolored paper. With this in mind, I was not too displeased, nor too surprised, to have recently uncovered a few dozen issues of the CW beside the chair I often occupy. This arrangement allows me to rummage indiscriminately through the CW in the company of Mr. Harper's artwork. Another advantage to this arrangement is simply to have back issues at St. Joe's. This is especially important when Mike Dempsey,

Eric and others take a direct interest in reading Peter's essays, Dorothy's articles, or old house columns. After reading one issue in particular, the guys pointed out a sentence written by Dorothy from the '50s, which had been re-printed in a '70s issue of the paper. Dorothy, in the sentence in question, mentions Roger as having worked sixteen hours a day. Roger, the "ga-rn" to Arthur's "fishop," merely said, under his breath, something about the editors being slack in those days. Yet, disregarding Roger's stab at humility, I would not be surprised to discover that he still is working sixteen hours a day. To use an excerpt from a lengthy description of Roger by Dan Dunn, "that man is a walking, talking, peanut-butter-eating phenomenon." On many things I try to follow Roger's example, though probably more out of love and respect than unquestioned agreement. Speaking with Roger is a continual lesson and sometimes I wonder if I have the patience or resilience to learn a blessed thing.

Seated at one of the tables in the dining room at Maryhouse, reading a couple of recent house columns, I was struck by the varied voices of the writers. Barbara Jackson wrote such a lovely piece, that, when I first read it, I had the urge to go find a wallet, so as to carry her column around in my pocket. Even now, I read over her words every few weeks. Brian Harte's house column was, as anticipated, rather cryptic, though filled with



Peter A.

a warm playfulness. I can easily imagine Matty, Whiskers, and Brian playing the "head slap" game. Carmen's column was so thoughtful and energized, I only realized the article was concluded when he wrote "Peace" at the end. I can easily envision Carmen coming into a room, quickly speaking his "peace," and then, with a wave of his hand, vanishing (or as Dan Dunn would say "that man is a whirlwind of ideas"). Yet, even in the diversity of personal writing style and expression, there is a common thread. There seems to me to be a desire, and attempt, while writing a house column, not merely to discuss the comings and goings of Peter Maurin Farm, Maryhouse or St. Joe's, but a desire to celebrate the simple joys of communal life.

The Day Begins

And not always another morning, but today, Joe Foth places three soup pots above blue gas flames, as I am ten, probably twenty, minutes late. Our kitchen slowly is awakening: Ed Forand is calmly walking from sink to coffee machine to table, Brad is mulling over one of yesterday's crossword puzzles, Lil' Joe is pouring himself a cup of coffee, Hugh is eating a peanut butter sandwich, and Big Tommy is a pacing shadow, appearing just outside our windows. Within a brief moment, Mr. Wong enframes us in his morning landscape.

Eventually, the morning sunlight descends from above the surrounding buildings and, seeping in through street-level windows, permeates our kitchen. Paul and Murphy are busy preparing for the soupline: setting tables with bread, tea, butter, water, spoons, salt, sugar, hot sauce, and milk. Just prior to opening the doors, the soup is placed upon the tables. Further discussion of the soupline would require a few thousand words, so instead I will quote Brian Harte, imitating me, "the soupline is, actually, when you think about it, the soupine."

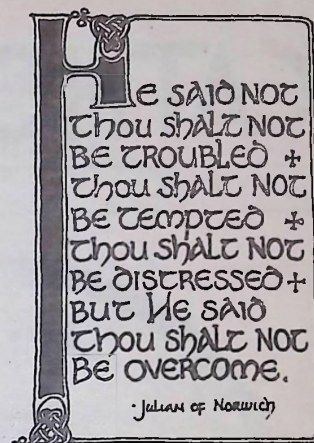
Whether you eat or drink it is all for the glory of God. This does not mean we do not enjoy our spaghetti for lunch. God often gives us natural happiness to help us love Him.—Dorothy Day
Joe M-H yells, "Lunch-Time." "Lunch-Time."

Lunch-time at St. Joseph House is so often an occasion for casual conversation, singing, and theatrical playfulness, one easily becomes forgetful and content. Not self-absorbed and distant, but rather outgoing and perceptive. We become quick to recognize the enveloping joke or the half-truth designed to be quizzical and sincere in its hope to confound and amuse. We become more aware of the immediate and rejoice in our being together.

Tales by Richie enliven Eric's face, usually causing him to pronounce to the noon crowd, "Did you hear that? This is unbelievable!" The prolific writings of "Boo Radley" (Hugh Bradley) with their ignited logic both frustrate and delight, as a cryptic crossword puzzle causes one continually to return to study its clues, only to turn from the page deliberately exhaling. Yet I know Hugh's intention is to share freely what he has learned over the years.

One of Hugh's many kindnesses has been to speak with me about the necessity of study. Even though there is the exceptional example of Carmen's study habits, discussing the issue with Hugh has helped me to become slightly more serious in an approach to books. Each day Hugh asks me if I have been studying, and then he questions me on what I have been reading. He continually calls on me to study more intelligently. All of this may sound rather commonplace, but, for me, Hugh's concern is a gift. This is the other side to our fun and games—our concern for one another.

At times, our chronic banter can become an escape, a cloud covering which obscures a truer relationship. Yet, the kitchen revolves around our use of language, whether in the lovely poetry of Rosemarie, Sabra's jokes, Smitty's stories, Jimmy's asides, Nat's witticisms, or Carmen's singing. Recently, Whiskers came up with a song, "Dixie, oh



Sabra McKenzie-Hamilton

Dixie, my Dixie." This can easily be reworked to become "Bradford, oh Bradford, my Bradford," or done any number of ways to incorporate different names.

Another way in which we sometimes spend the afternoon is by howling. The howling may have been started by Eric, but Matty, Jennifer, Brian, Dan, and Vincenza have all been known to howl. On one occasion, while a few of us were howling for seemingly no apparent reason, Mr. Wong asked "cookie" to place Calvin, our cat, into a pot of boiling water. This is a long joke by Mr. Wong, which provides the day with a palpable rhythm.

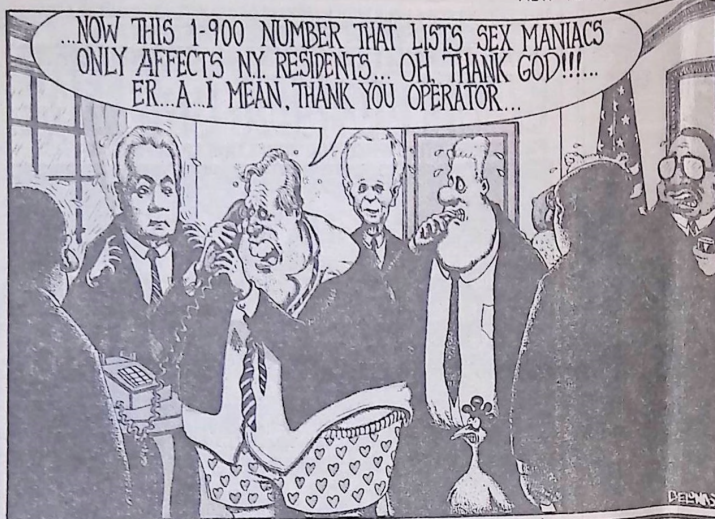
The counter-balance to the calm of Mr. Wong is "Whiskers" (Richard Harper), whose presence is explosive. He puzzles the truth and yet tells the most beautifully sculptured fabrications with the delivery of a news anchor. His eyebrows twitter and his right leg shakes to denote assurance, as does his steady gaze, and easily found phrases reveal his doubt. Each moment with him is a maelstrom of joy and wonder. (Though, at rare moments, one might cry out, as Eric, "Why do I listen to this?") The kitchen is his stage, he was born to it, and to this, to quote Eric again, "There is no doubt in my mind." Richie brings a smile to my lips and a tear to my eyes. He is an artist, a glorious storyteller, a hard laborer, but, above all, a friend. He is definitely the most loveable person I have ever met.

Before I discount others, though, I should write of those I have quoted. When I first encountered Eric, he posed a difficult question. The answer required some depth of thought, so I immediately became lost in my own banal explanations and digressions. From that moment until now, Eric has provided me with more difficult questions, but also with sensitive, thoughtful counsel. He is a man of stature, and not merely because he is approximately seventeen feet tall.

The most-quoted person seems to be Dan Dunn. Dan recently told me that he has doubts about his becoming a saint. This relinquishing will probably help him on his long path towards understanding himself, and with his relationship with God. Arthur once told me that the Worker is made up of saints and the martyrs, those who put up with Dan. I don't think I have been putting up with Dan, as much as trying to learn from him.

There is much which remains unsaid. Dinner is gathering, as are the movements of late evening approaching night. The house is calmed by a final roundup of conversations and the steady chopping of vegetables for the next day's soup, as our minds are calmed by the call to sleep. Slowly the departure begins, and one by one we climb the stairs. The day has passed and the night is put to rest, just after the extinguishing of Richie's last Kool cigarette. And as I begin to drift asleep, as well, I suddenly remember three lines written by St. Teresa of Avila:

Let nothing disturb thee,
Nothing affright thee,
All things are passing.... ✦



Leary ID'd in lineup by 12 from firebombed train

By MIKE PEARL

Shaved and shoeless on a judge's orders, accused subway firebomber Edward Leary was identified by 12 of 17 witnesses yesterday in a police lineup.

Leary was ordered to remove the beard he had grown in jail. Police said he was clean-shaven, though severely burned, when arrested two hours after the Dec. 21 blast that injured 47 commuters.

The 49-year-old jobless computer technician also had been wearing sneakers, while the seven other men used in the lineup wore shoes, so the judge ordered them all to appear in their stockinged feet.

Of the 17 witnesses viewing the lineup, Leary was picked out by 12. Four people identified other men and one said he could not recognize anybody.

A number of people had reported seeing a white man carrying a bag smelling of gasoline before the explosion on the southbound No. 4 train at Fulton Street in



EDWARD LEARY
Shaven and unshod.

lower Manhattan.

Leary, who faces 39 charges, including attempted murder and assault, appeared before Manhattan Supreme Court Justice Rena Uviller yesterday to switch lawyers.

Leary's wife, Marguerite Shaller, had Stephen Murphy replaced with prominent

Manhattan criminal lawyer Ira London, president of the New York State Association of Criminal Lawyers.

The judge warned Leary that there could be "no further substitutions."

Outside the court, London told The Post he had not decided what defense he would present.

When asked about an insanity defense, he said, "That is certainly an avenue, but it's too early to consider any avenue at this time."

And he refused to be drawn out about whether he would be ordering psychiatric tests.

Pretrial hearings are set for April 11.

Three badly injured victims of the blast are scheduled to announce plans today to sue the city and Transit Authority for failing to provide adequate security and emergency measures.

"There are many millions of dollars involved here in addressing the injuries," one of their lawyers, Barry Slotnick, said.

Pataki: We'll retake control of youth lockups

By FREDRIC DICKER
State Editor

ALBANY — Gov. Pataki yesterday vowed a quick crackdown on state youth detention facilities where violent gangs have come close to taking control.

"This situation is intolerable and we will not allow it to continue," Pataki told The Post.

"It's just totally unacceptable. It boggles the mind."

Pataki was reacting to The Post's disclosure Monday of a blistering state Commission of Correction report which said street gangs have overrun the state's six youth jails and "counselors" are turning a

blind eye.

The report said gang activities by such groups as the Latin Kings, the Five Percenters and the Netas are rampant. Investigators even witnessed gang insignia being distributed and gang rituals being practiced at some facilities.

The detention centers are run by the state Division for Youth, headed by recent Pataki appointee John Johnson.

"I'll be meeting with him later tonight and I will direct him to advise us what action he is going to take to

change the situation," Pataki said of Johnson.

"I expect these actions to be taken quickly."

Meanwhile, Attorney General Dennis Vacco said he was "outraged" by The Post's disclosures.

"It's outrageous to learn that our secure detention facilities are functioning more like vocational training schools for career felons," Vacco said.

"It's time we stopped treating hardened young thugs as if they were innocent youths gone astray."

By DEBORAH ORIN
Washington Bureau Chief

President Clinton today would beat any Republican challenger in New York — but it wouldn't be easy, a Post poll has found.

The poll shows the president narrowly beating GOP front-runner Bob Dole in New York — a must-win state for Clinton.

"New York is a toss-up and that's a real warning sign since it's a state that is key to any hope for Clinton's re-election," said pollster John Zogby.

In a head-to-head race, Clinton would get 45 percent and Dole 38 — a close race considering that Clinton did better in New York than any state outside Arkansas in the 1992 election.

The New York race is a

tie among male voters, with Clinton getting 42 percent to Dole's 41. But Clinton has a 13-point edge among women.

Voters who say they are undecided in a Clinton-Dole race tend to be from groups where Clinton is weak, such as Republicans and independents, younger voters, white Catholics, suburbanites and moderate-conservatives.

Clinton runs way ahead of lesser-known GOP hopefuls, though he remains under 50 percent even against the virtually unknown Lamar

Alexander, with a huge undecided vote.

Any incumbent who runs below 50 percent is considered in jeopardy because undecided voters generally tilt against the incumbent.

The Post Poll also shows Clinton could be vulnerable in the 1996 New York Democratic primary a year from today.

Only 40 percent of New Yorkers give him favorable ratings today, while 59 percent turn thumbs-down.

Low job ratings suggest voters are ready to turn to someone else if they decide the other candidate could do a good job. They were an early warning of former Gov. Cuomo's defeat last fall.

The Post Poll of New York State was conducted by John Zogby Group International from March 1-4. It surveyed 743 randomly selected voters and has an error margin of 3.5 percent for the total sample and larger for subgroups.

The John Zogby Group was one of the few polling firms to accurately record the surge that brought Gov. Pataki to victory.

The Post Poll found Clinton would get 53 percent today in a hypothetical Democratic primary field of candidates including Jesse Jackson and New Jersey Sen. Bill Bradley. None of the others does strikingly well. Bradley is second with 14 percent.

A Post Poll last month found Clinton in better shape in the first primary state of New Hampshire, backed by two-thirds of voters.

"If I were working for a Democratic challenger to Clinton, there's a lot in this poll that suggests New York would be an ideal place for an ambush," said pollster Larry Douglas.

Bradley says he's not running, but New York's next-door neighbor senator shows signs he could be a real factor in a Democratic primary if he did.

Bradley draws 21 percent of New York City Democrats, 33 percent among Jews, 30 percent among those earning \$50,000 to \$75,000 and 23 percent among women.

Clinton would win 41 percent of middle-class voters earning \$50,000 to \$75,000 in a primary.

D'Amato endorses Senate leader for '96 prez race today

By DEBORAH ORIN
Washington Bureau Chief

Sen. Al D'Amato (R-N.Y.) officially throws his support to Senate GOP leader Bob Dole in the 1996 presidential race today — exactly one year before the New York primary.

D'Amato is expected to bring the New York State GOP organization with him — including Gov. Pataki — giving Dole control of the entire party structure in the first major state to vote in 1996.

Official endorsements matter more in New York than in most states due to the complex, district-by-district signature rules to get on the GOP primary ballot. Virtually everyone who knows how to do it is backing Dole.

Rep. Susan Molinari (R-S.I.) has backed Dole, and her father, Staten Island Borough President Guy Molinari, says he will, too — once he concludes he can't get former President Bush to come out of retirement.

D'Amato will be getting a title of his own today — he'll be named chairman of Dole's national steering committee, sources say.

New Yorkers aren't used to thinking of their state as a big power in presidential politics but the early timing in 1996 is likely to change that — New York comes in just over two weeks after New Hampshire.

A GOP candidate who wins New Hampshire and Iowa — where Dole leads



SEN. D'AMATO
Delivering New York.

— could deliver something close to a knock-down, or even knockout punch by winning New York.

Dole also plans to stress New York's importance to his campaign by capping the first day of his announcement swing — April 10 — with a huge Manhattan fund-raiser where backers hope to raise \$2 million.

The last Republican hopeful to come to New York on his official announcement swing was Ronald Reagan. Dole fans hope for another parallel since Reagan won the state in both 1980 and 1984.

Two other Republicans, Texas Sen. Phil Gramm and ex-Tennessee Gov. Lamar Alexander, have big New York fund-raisers set for the end of March, but neither yet has an Empire State political operation.



HOLYWOOD HIGHEST — THE CLASS OF 2000. Left to right, Jennifer Lopez, Uma Thurman, Neve Campbell, Patricia Richardson, Linda Evangelista. Courtesy: [illegible]

Cuba's 'Worth' plenty to big biz

WHEN the late GM boss "Engine Charlie" Wilson declared that "what's good for General Motors is good for the country," a lot of people were appalled.

But that sentiment still abounds in business today, nowhere more so than in the matter of normalizing our relations with Cuba. It's the capitalists, rather than liberals, who will force a change.

We've already noted the procession of American tycoons who've recently been welcomed by Fidel Castro. Most of them have come back deriding our no-trade, no-recognition policy.

Now Walter Mead, writing on economics for the cheerfully capitalistic magazine *Worth*, joins the chorus. He says bilateral U.S.-Cuba trade could easily hit \$1 billion in the first year after the blockade is ended.

Elaine butts out

ELAINE KAUFMAN has been around long enough to know you can't fight City Hall, so she's preparing to observe the new smoking rules that come into play April 10.

"I'll do whatever the law requires," she says of her Elaine's restaurant. "I'm not into civil disobedience."

It's probably a wise decision, given the number of police brass who patronize the place. But it will mean the end of an only-in-New York tradition, wherein people requesting a non-smoking table were sent to the Chinese restaurant across the street.

Stark reality

WE were right when we said that Jerry Seinfeld was again dating 19-year-old Shoshanna Lonstein. The only thing that's changed is where they go on those dates.

The couple have been seen (along with people like Dennis Quaid and Meg Ryan and their child) in the Barney Greengrass Deli, which is on the top floor of the Los Angeles Barneys but

"Why has the U.S. been willing to defer democratic growth in Mexico (as well as South Korea, Taiwan, China and even Vietnam) while insisting on democratic progress as a precondition for trade with Cuba?" he asks.

Because, he says, "Cuba is the first and, so far, the only state in the Western Hemisphere to have defied Washington's vision for the region. Cuba must pay."

Mead, presidential fellow at the World Policy Institute of the New School, seems to agree with Lee Iacocca that our only Cuban policy is to wait for Castro to die.

"From the standpoint of selfish American interests, six months or even six years more of Castro is a small price to pay for an orderly transition," he argues.



which isn't related to the Pressman family.

Seinfeld and Lonstein used to frequent another deli, called Jerry's. But when their romance struck a bump, Shoshanna started dating young Guy Starkman, who runs that place for his father.

You've got to feel for Starkman. Not only does he lose the girl, but he also loses two of his best customers.

Correction

WE mixed up our Wednesdays when writing about the Kennedy Child Study Center's benefit at Tavern on the Green. Patricia Kennedy Lawford and friends will actually be getting together on May 17.

Remember when?

UNLESS they settle the strike, the likelihood is that there'll be no baseball at all this season — replacements, scabs or whatever.

That's because the owners are coming to accept that fans will stay away in droves from any games that aren't the real thing.

It will cost a whole lot more just to open, say, Yankee Stadium than the ersatz teams could possibly bring in at the gate.

At least we'll be able to remember better times than these when Chemical Bank gives its dinner March 31 honoring the old Brooklyn Dodgers and their first World Series win 40 years ago.

Pee Wee Reese, Don Newcombe, Duke Snider, Clem Labine and Carl Erskine are some of the Dodgers who beat the Yankees in that seven-game series and who'll attend the dinner.

Don Zimmer, now a coach with the Rockies, wants to be there, too. But first he has to get out of the hospital, where he's being treated for a loss of blood flow to the brain.

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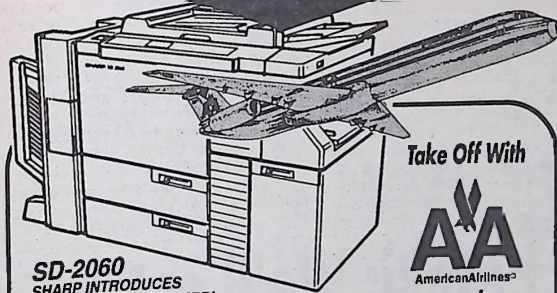
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Newt finally finds time for his gay 'sinner' sis

WASHINGTON — House Speaker Newt Gingrich's lesbian half-sister lobbied Congress yesterday to spare AIDS programs from the budget ax — and received a better-late-than-never welcome from her brother.

With half-sister Candace Gingrich at his side, the speaker called her a "sinner," but added, "She considers me a sinner, too, so we're all fine."

Candace Gingrich — on Capitol Hill with other gay-rights activists — was brought to her half-brother's office for a meeting arranged only after the speaker was hounded about why he didn't have time to meet with her.

Asked how his family deals with his half-sister's lesbianism, Gingrich said, "Actually, I think our family is pretty open."

Candace Gingrich, 28, of Harris-

burg, Pa., told reporters earlier her half-brother isn't anti-gay, just not well-informed on gay issues.

A Democrat, she's no fan of his politics and wouldn't vote for him.

"We're completely in disagreement on 80 percent of the issues. And I wouldn't vote for somebody that disagreed with me."

"Why would you think a liberal Democrat would vote for me, even if she's my sister," countered Newt Gingrich.

She said she didn't know if she could convince him to save AIDS from expected budget cuts.

"Convincing is kind of strong," she said. "I hope to discuss it with him — let's start there."

Thomas Galvin

Holtzman: City ignored 'horrificing' infant care

By SUSAN RUBINOWITZ

Former Comptroller Elizabeth Holtzman — who blew the whistle in 1992 on negligent care in the maternity wards of the city's public hospitals — said yesterday her alarm fell on deaf ears.

Holtzman told The Post that little or nothing was done after she alerted then-Mayor David Dinkins that malpractice payouts involving newborns had skyrocketed.

She said she got "assurances that the problem was being looked at, and so forth," but remembers no concrete action.

The inattention, she said, "was horrificing then, and it's still horrificing," Holtzman said.

Dinkins could not be reached for comment.

Philip Michael, his former budget director, who got a copy of Holtzman's letter, said administration officials were, in fact, "very concerned" about her findings.

"We leaned heavily on HHC to make changes, and they gave assurances that they were doing that," Michael said.

Holtzman's letter informed the mayor that of the \$190 million the city paid out for medical malpractice between 1990 and 1992, more than 60 percent came from claims of injured newborns.

The Health and Hospitals Corp. has long been accused of not supervising the private teaching hospitals which get \$500 million to staff municipal facilities.

But HHC President Bruce Siegel took issue yesterday with reports in The New York Times claiming deaths rates for normal-weight babies were 80 per-

cent higher at public hospitals than at private institutions.

"I have very serious reservations about the analysis that appeared in the Times," Siegel said. "They didn't adjust for the fact that many of our mothers are homeless — many women, when they deliver, are coming to us for the first time."

Siegel said he asked Times reporters for permission to review their statistical analysis, but was refused.

Times spokeswoman Nancy Nielsen responded: "We're very confident with the thoroughness and accuracy that went into the research and reporting of this series. If anyone has a concern, they should call us directly."

HHC is reforming itself, Siegel said.

"Obviously, the death of any baby is tragic, and I would hope none would take place, but the fact of the matter is it happens everywhere, in every hospital, and we do need to work to bring these numbers down," he said.

New affiliation contracts he's negotiating with private hospitals radically tighten the requirements for the private institutions to closely supervise junior staff, he said.

Hosp malpractice suits ripping into Apple funds

By JONATHAN KARL

The city's municipal hospitals have become a gold mine for medical-malpractice lawyers, Mayor Giuliani charged yesterday.

"New York City is sued probably more often than any other party in the city for malpractice. Why is that? Because New York City owns so many hospitals, and we self-insure those hospitals," the mayor said at City Hall.

"Maybe government doesn't do the job of owning and operating hospitals well."

The mayor has announced a plan to privatize three of the city's 11 acute-care hospitals and has hinted that he will propose selling more in the future.

In recent years, the cost of settling lawsuits against city hospitals has soared to record levels.

In fiscal 1994, the city paid \$76 million — plus another \$10 million in legal fees to defend itself against malpractice charges.

In 1986, the city paid out just \$24 million in malpractice lawsuits.

The city's top lawyer, Paul Crotty, predicts costs will continue to soar.

If the city privatized all its hos-

Malpractice lawsuits against HHC

Year	Amount lost
1985	\$31 million
1986	\$24 million
1987	\$41 million
1988	\$57 million
1989	\$42 million
1990	\$56 million
1991	\$68 million
1992	\$85 million
1993	\$81 million
1994	\$76 million

Source: City Comptroller

pitals, Crotty said, "We'd save at least \$100 million per year in legal costs."

Ironically, the personal injury lawyers who sue the city for malpractice agree.

"City-owned hospitals just are not properly staffed, and that leaves them vulnerable to malpractice cases," said Bob Sullivan of Sullivan & Liapakis, the largest personal injury firm in the city.

The high cost of malpractice is not reflected in the \$3.8 billion budget of the Health and Hospitals Corp., which runs the city's public hospitals and clinics.

That's because when city hospitals lose lawsuits, the money comes from the city's general fund and not HHC.

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TOUGH FIGHT IN N.Y.

POST POLL: HOW NEW YORKERS RATE THE CANDIDATES

General Election

Bill Clinton	45 %
Sen. Bob Dole	38
Undecided	17

Bill Clinton	42
Gen. Colin Powell	35
Undecided	23

Bill Clinton	49
Sen. Phil Gramm	23
Undecided	28

Bill Clinton	49
Lamar Alexander	14
Undecided	37

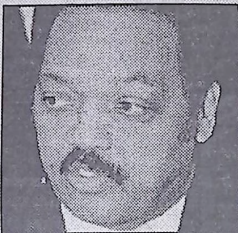
Bill Clinton	38
Sen. Bob Dole	28
Gen. Colin Powell	20

Bill Clinton	41
Gen. Colin Powell	29
Sen. Phil Gramm	13

Bill Clinton	41
Gen. Colin Powell	30
Lamar Alexander	10



CLINTON



JACKSON



POWELL

Republican Primary

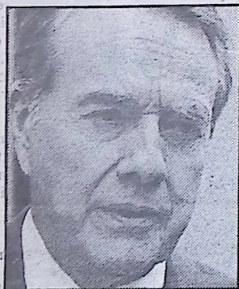
	Without Colin Powell	With Colin Powell
Sen. Bob Dole	47 %	34 %
Gen. Colin Powell	---	25
Sen. Phil Gramm	5	4
Pat Buchanan	4	3
Sen. Richard Lugar	3	2
Calif. Gov. Pete Wilson	3	0
Lamar Alexander Ex-Tenn. Gov.	2	1
Rep. Bob Dornan	2	1
Sen. Arlen Specter	1	1
Other	1	3
Undecided	32	26

Democratic Primary

Bill Clinton	53 %
Sen. Bill Bradley	14
Jesse Jackson	4
Rep. Dick Gephardt	3
Sen. Bob Kerrey	2
Bob Casey	1
Other	1
Undecided	21

Source: John Zogby Group International

Dole's leader of the GOP pack here

SEN. BOB DOLE
Leader of GOP pack.By DEBORAH ORIN
Washington Bureau Chief

As far as the Republican nomination goes, New York is Bob Dole country right now — as long as Colin Powell doesn't jump into the race.

The 1996 GOP primary is one year from today and Dole now has the backing of 47 percent of New York Republicans — and everyone else is an asterisk unless Powell runs.

If Powell, a native New Yorker, were to join the pack, he could emerge as a

real competitor. It would be Dole 34 percent and Powell 25, according to the March 1-4 survey by John Zogby Group International.

The hatch is that if Powell runs, it won't likely be until after his autobiography comes out next fall — and that could be tough because the GOP section of New York's election law makes it hard for a late-comer to get on the ballot.

New York could be pivotal in 1996 because it will be the first megastate pri-

mary: The March 7 date (a Thursday, to avoid Purim) comes just more than two weeks after New Hampshire's primary.

"Right now, Dole's numbers look good and he'll have the added advantage of a powerful state Republican Party behind him," said pollster John Zogby.

"But Powell's strength shows that Dole's hardcore support among Republicans now is about 34 percent. If any of his rivals catches fire, Dole could be in trouble as his early advantage of name recognition subsides."

So far, none of them have. And California Gov. Pete Wilson — the hot name in pundit land right now — barely registers in New York.

Dole wins among all age, income, educational and regional groups and both men and women — though he does better with men (54 percent) than women (39 percent).

On the sensitive question of age, New Yorkers say they don't care that Dole, if

elected, would be 73 when he took office.

In fact, about as many voters are more likely to vote for Dole because of his age as are less likely — raising the prospect that some may blame President Clinton's problems on his youth.

A huge majority — 62 percent — say Dole's age makes no difference. And while 14 percent say they are more likely to back him because of his age, 16 percent say they're less likely.

But voters turn thumbs down on Dole's trial balloon that he might serve only a single term: 49 percent see it as a political ploy while just 31 percent say that would let him make the tough decisions.

By an even bigger margin, voters reject GOP hopeful Lamar Alexander's call to cut Congress' pay and make it a part-time job: 66 percent say it's "politics as usual" and just 19 percent feel it is a "realistic" idea.

Brooklyn
'handcuff'
principal
reassignedBy JEFF SIMMONS
Post Education Reporter

A Brooklyn principal has been tossed out of her school for allegedly slapping handcuffs on a 5-year-old boy. The Post has learned.

Two school guards have been disciplined for their roles in the incident.

School officials yesterday said interim acting principal Bettie Kollock-Wallace has been temporarily assigned to an administrative job in Community School Board 16's office.

The school board will soon decide her fate.

A central board investigation found that Kollock-Wallace ordered a school safety officer to turn over his cuffs in mid-February — so she could scare Christopher Whyte, a student who she felt was disruptive.

School officials haven't determined precisely what happened after that.

"Two things are certain," a source familiar with the investigation said. "The child was being disciplined and handcuffs were used."

Some witnesses claim Kollock-Wallace handcuffed the boy to a hand-rail. But she told her superiors that she only brandished the cuffs to scare the youngster.

The boy's parents have demanded that the principal be fired.

But other parents have supported her and are demanding her reinstatement. She may be returned to her previous job as a teacher in another school, officials said.

District Superintendent Leonard Clarke has refused to talk with The Post about the case.

School Safety Director Zachary Tumin told The Post yesterday that the school's two guards also will be charged with breaking the rules — one for turning over the cuffs and both for failing to report the episode.

\$130 for penny
from heaven

You'll get a lot more than a penny for your thoughts if you can corral a rare 1995 one-cent piece with double strikings.

Collectors are offering \$130 for the coins in which "Liberty" and "In God We Trust" over Lincoln's head are doubled, said Eric vaugh Klinger of the Numismatic News.

The only discovered 1995 penny showed up at the American Numismatic Association convention last weekend in Atlanta.

Neil Graves

Looks like Jesse won't be a factor

Jesse Jackson is hinting at a third presidential bid in 1996, but the Post Poll finds no "Run, Jesse, run" call from the grassroots this time.

In fact, it's just the opposite.

In a New York Democratic primary, President Clinton would beat Jackson 9-1 among blacks and even New Jersey Sen. Bill Bradley outpolls Jackson among African-Americans.

Bradley's edge over Jackson among blacks isn't statistically significant, but

Clinton's is and the figures suggest Jackson's support is minimal.

Overall, Jackson would draw only 4 percent in a Democratic primary. A recent Post Poll found he'd also do poorly in the first-primary state of New Hampshire, drawing a mere 2 percent.

The poll marks a stunning decline for Jackson, who in 1988 got 37 percent of the New York Democratic primary vote and beat nominee Michael Dukakis in New York City.

Deborah Orin



ANNUAL TOWN MEETING
Monday, April 3, 1995
 Commonwealth of Massachusetts
 Barnstable, ss.

To either of the Constables of the Town of Provincetown,
 Greetings:

In the name of the Commonwealth of Massachusetts and in the manner prescribed in the Charter and By-laws of said Town, you are hereby directed to notify the inhabitants of the Town qualified by law to vote in Town affairs to meet and assemble at Provincetown Town Hall on Monday, the Third day of April, A.D. 1995 at 7:30 o'clock in the evening, then and there to act on the following articles, to wit:

Article 1. To Hear Town Reports. To see if the Town will vote to hear the reports of the Town Officials and Committees and to act thereon.
[Requested by the Board of Selectmen]

BUDGET ARTICLES

Article 2. FY 1996 Operating Budget. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$13,339,986 to fund operating budgets for the several Town departments for Fiscal Year 1996 in accordance with Chapter 9, section 1 of the Provincetown Charter, as follows:

I. General Government	\$442,010
II. Finance	3,705,676
III. Public Safety	1,882,311
IV. Public Works	1,264,548
V. Public Services	2,450,181
VI. Schools (including Cape Cod Regional Tech II High)	3,594,060
TOTAL OPERATING BUDGET	\$13,339,986

or take any other action relative thereto.

[Requested by the Town Manager and the Board of Selectmen]

Article 3. FY 1996 Water Enterprise Fund. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$571,000 for the operation of the Provincetown Water Department for Fiscal Year 1996, as follows:

Personal Services	\$228,593
Expenses	171,200
Reserve Fund	86,011
Debt Service	85,196
TOTAL Water Enterprise Fund	\$571,000

or take any other action relative thereto.

[Requested by the Town Manager and the Board of Selectmen]

Article 4. Capital Improvements Program To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the following sums to defray the costs of the Fiscal Year 1996 Capital Improvements Program submitted in accordance with Chapter 9, section 2 of the Provincetown Charter as follows:

1. **Fire Vehicle Account:** \$26,300 to be added to the amounts appropriated under Article 4, Item 2 of the 1992 Annual Town Meeting to be expended under the direction of the Board of Selectmen, Town Manager, and Board of Fire Engineers to purchase fire vehicles in FY 1996;

2. **MacMillan Pier Maintenance Design:** \$15,000 to be expended under the direction of the Town Manager and the Marine Superintendent for engineering design services for deterioration mitigation of exposed steel support beams on MacMillan Pier;

3. **Paint Town Hall North Exterior Wall:** \$24,000 to be expended under the direction of the Town Manager and the Director of Public Works for the painting of the north exterior wall of Town Hall;

4. **Reconstruct Town Hall Front Steps:** \$8,000 to be expended under the direction of the Town Manager and the Director of Public Works for the reconstruction of the front steps of Town Hall;

5. **Town Hall Auditorium Ceiling Repair/Refinishing:** \$9,500 to be expended under the direction of the Town Manager and the Director of Public Works for the repair and refinishing of the Town Hall Auditorium ceiling, with a portion of said sum to be transferred from the FY 1994 and FY 1995 balances of the Revolving Account for the Preservation of Town Hall Auditorium;

6. **Town Hall Lower Level Air Quality Improvements:** \$12,700 to be expended under the direction of the Director of Public Works and the Building Inspector for air quality improvements to the Lower Level of Town Hall, including removal of bacteria-contaminated floor covering and installation of an air circulation and exchange system;

7. **Town Computer Replacement Program:** \$10,000 to be expended under the direction of the Town Manager and the Treasurer/Collector for the program for continued replacement of computer equipment for Town departments;

8. **Street & Sidewalk Repairs:** \$25,000 to be expended under the direction of the Director of Public Works for continuation of the road and sidewalk repair program;

9. **Repair Library Corner Posts and Soffits:** \$15,000 to be expended under the direction of the Town Manager, Director of Public Works, and Board of Library Trustees for repair of the corner posts and soffits at the Provincetown Public Library;

10. **Cape End Manor Building Repairs:** \$41,500 to be expended under the direction of the Town Manager and Cape End Manor Administrator for repairs to the Cape End Manor building, including bay window replacements and roof repairs;

11. **Community Center Roofing & Repairs:** \$34,000 to be expended under the direction of the Town Manager and Director of Public Works for building and roof repairs at the Community Center;

12. **Provincetown Shuttle - Local Share:** \$6,250 to be expended under the direction of the Board of Selectmen as a 10% matching grant, contingent upon grant award, to contract with the Cape Cod Regional Transit Authority for summer shuttle bus service in Provincetown;

or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Town Manager]

PERSONNEL MATTERS

Article 5. Amendments to Personnel By-law/Classification and Compensation Plan:
 Classification and Compensation Plan

of the Town of Provincetown:

1. **Schedule A: By Amending Schedule A "Permanent Full and Part-time (Non-union) Positions"** to implement recommendations of the MMA Consulting Group, Inc. dated January 30, 1995, as follows:

Grade	FY 1995 Rates			Proposed FY 1996 Rates			Proposed Classifications
	Training	Minimum	Maximum	Training	Minimum	Maximum	
21	50,148	51,219	58,363	52,479	55,241	55,184	Town Manager
20	47,709	48,781	55,583	49,980	52,610	52,080	no positions assigned
19	45,386	46,458	52,937	47,600	50,105	59,124	Chief of Police
18	43,173	44,245	50,416	45,333	47,719	56,309	Director of Public Works
17	41,067	42,138	48,015	43,174	45,447	53,627	Cape End Manor Administrator
16	39,060	40,131	45,729	41,119	43,283	51,074	Director of Municipal Finance
15	37,149	38,220	43,551	39,161	41,222	48,641	no positions assigned
14	35,329	36,400	41,477	37,296	39,259	46,325	no positions assigned
13	33,596	34,667	39,502	35,520	37,389	44,119	no positions assigned
12	31,944	33,016	37,621	33,828	35,609	42,018	Police Staff Sergeant
11	30,373	31,444	35,830	32,217	33,913	40,017	Assistant Town Manager
10	28,876	29,948	34,124	30,394	31,993	37,752	Building Commissioner
9	27,450	28,520	32,499	28,673	30,183	35,615	Treasurer/Collector/MIS Coordinator
8	25,835	26,906	30,659	27,050	28,474	33,599	Director of Public Health
7	24,312	25,383	28,923	25,519	26,862	31,698	Library Director
6	22,875	23,947	27,286	24,075	25,342	29,903	Marine Superintendent
5	21,520	22,591	25,742	22,712	23,907	28,211	Principal Assessor
4	20,241	21,313	24,284	21,426	22,554	26,614	Health Agent
3	19,034	20,106	23,553	20,214	21,278	25,107	Highway Superintendent
2	17,896	18,968	21,613	19,069	20,073	23,686	Water Superintendent
1	16,823	17,894	20,390	17,990	18,937	22,346	Council on Director
							Recreation Director
							Parking Administrator
							Town Clerk
							no positions assigned
							Electrical/Deputy Building Inspector
							Licensing Agent
							Local Building Inspector
							Secretary to the Town Manager
							Secretary to the Board of Selectmen
							no positions assigned
							no positions assigned
							no positions assigned
							no positions assigned

and further, to raise and appropriate the sum of \$48,296 to fund raises for FY 1996 for positions contained on this schedule in accordance with the performance appraisal system adopted pursuant to Section 4-1 of the Personnel By-law, said sum being equivalent to 5.5% of eligible payroll;

2. **Schedule C: By Amending Schedule C "Seasonal and Part-time Non-Union Positions"** as follows:

Hourly Rates of Pay (unless otherwise indicated)	Proposed Changes
Position	Current FY 1996
Animal Inspector (annual)	\$150.00
Comfort Station Attendant	7.00
Comfort Station Supervising Attendant	7.50
Council on Aging Cook	7.00
Council on Aging Outreach Worker	7.50
Emergency Management Director (annual)	1,200.00
Gas Inspector (annual)	3,500.00
Harbormaster, Assistant/Relief 1st year	8.50
2nd year	8.75
3rd year	9.00
4th year	9.25
Licensed Practical Nurse/Per Diem (Manor)	15.00
On-Call Secretaries	8.00
Parking Department Clerk	8.00
Parking Lot Attendant/Float/Relief/Out-booth	7.25
Parking Lot Attendant/In-booth	6.50
Parking Lot Technical Manager	9.75
Parking Lot Assistant Technical Manager	8.00
Parking Meter Enforcement	8.00
Parking Meter Collection/Repair (annual)	6,000.00
Plumbing Inspector (annual)	3,500.00
Police Auxiliary (annual stipend)	550.00
Police Auxiliary Detail	9.25
Police Desk Officer 1st year	8.00
2nd year	8.25
3rd year	8.50
Police Matron	7.50
Police Officer/Summer 1st year	8.50
2nd year	8.75
3rd year	9.00
4th year	9.25
Registered Nurse/Relief (Town)	15.00
Registered Nurse/Per Diem (Manor)	17.00
Seasonal Custodians	7.00
Seasonal Laborers	7.00
Seasonal Recreation Supervisor	7.50
Seasonal Recreation Aides 1st year	6.00
2nd year	6.25
3rd year	6.50
Seasonal Recreation Swimming Instructor	10.00
Veterans Agent (annual)	5,470.40
and further, to raise and appropriate \$9,114 and transfer \$4,823 from the Parking Fund to fund raises for positions contained on this schedule for FY 1996;	6,000.00
or to take any other action relative thereto.	

[Requested by the Town Manager and the Personnel Board]

Legals

COMMONWEALTH OF MASSACHUSETTS BARNSTABLE, ss. SUPERIOR COURT No. 95-100

MICHAEL L. GLENN et al
vs.
THE HEIRS OF ELEAZER HIGGINS
et al
ORDER OF NOTICE BY PUBLICATION

TO ALL WHOM IT MAY CONCERN, and to HEIRS OF ELEAZER HIGGINS and GEORGE V. WILLIAMS, or their heirs, legal representatives, or any persons claiming under them and to persons unknown; DEFENDANTS

WHEREAS an action has been presented to said Court by MICHAEL L. GLENN AND SUSAN B. JHIRAD, both of Medford, Middlesex county, Massachusetts; PLAINTIFFS, under provisions of General Laws (Ter. Ed.), C. 240, §§ 6 to 10 inclusive, to quiet or establish and confirm title to land in Wellfleet, Barnstable County, Massachusetts, being conveyed to said plaintiffs, by deed of RICHARD D. HYNES, dated November 4, 1994, and recorded in Barnstable County Registry of Deeds, Book 9433, Page 114.

WE COMMAND YOU if you claim or may claim by purchase, descent, or otherwise any right, title, interest, or estate in said land which is the subject of said action and if you intend to make any defense, that on the twenty-fourth day of April next, which day is the return day of this notice, or within such further time as the law allows, you do cause your written appearance to be entered and your written answer or other lawful pleading to be filed in the office of the clerk of said court at Barnstable and further that you defend against such action according to law, if you intend to make any defense, and that you do receive what the Court shall order and adjudge therein;

AND IT APPEARING to the court by suggestion of the plaintiff that there may be persons unascertained, not in being, unknown, or who cannot be served with process or made personally amenable to the judgment of the court;

IT IS ORDERED by the Court, that the plaintiff give notice to the defendants by causing an attested copy of the order to be published three times in different weeks in the Provincetown advocate, a newspaper published in Wellfleet, in said County, and by posting a copy of this order on the premises and in the Barnstable County Registry of Deeds, such publication and posting to be completed not later than twenty days before said twenty-fourth day of April next.

Hereof fail not, at your peril, as otherwise said action may be ordered and adjudged, and judgment entered therein in your absence.

Witness, ROBERT A. MULLIGAN, Esquire, at Barnstable, the twenty-second day of February, in the year of our Lord one thousand nine hundred ninety-five.

Phyllis A. Day
Clerk

Advocate: March 9, 16 & 23, 1995

COMMONWEALTH OF MASSACHUSETTS BARNSTABLE, ss. SUPERIOR COURT No. 95-110

TO FRANK V. GERLANDO of Provincetown, Barnstable County, Massachusetts, and to all other persons who may be entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act, as amended.

A. BORNSTEIN, Trustee of Gladstone Realty Trust, formerly Gladstone REAL ESTATE, Barnstable County, Massachusetts, claiming to be

the holder of a mortgage covering real property situated in Provincetown in said County of Barnstable, given by Frank V. Gerlando to Stuart A. Bornstein, Trustee of Gladstone Realty Trust, dated May 28, 1993, and recorded with Barnstable County Deeds, Book 8599, Page 236, has filed with said Court a complaint for authority to foreclose said mortgage in the following manner, to wit: by entry and possession and by the exercise of a power of sale contained in said mortgage.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 and amendments thereto and you object to the foreclosure of said mortgage, you or your attorney should file an answer in said Court at Barnstable on or before April 10, 1995, or you may be forever barred from claiming that such foreclosure made under such authority is invalid under said Act.

Your attention is directed to the Acts of 1982, Chapter 127, Section 1, which provides in effect that no person who is not a record owner of the equity of redemption in the mortgaged property and who is not entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act, shall be entitled to appear or be heard in such proceeding, except on behalf of a person so entitled, or unless an affidavit by the claimant, or a certificate by counsel appearing for him, stating that he is in the service and thus entitled to the benefits of said Act, is filed with the appearances. Such proceedings shall be limited to the issues of the existence of such persons and their rights, if any. Witness, Robert A. Mulligan, Esquire, Administrative Justice of our Superior Court, at Barnstable, this twenty-first day of February in the year of our Lord one thousand nine hundred and ninety-five.

Phyllis A. Day
Clerk of Courts

Advocate: March 9, 1995

THE PROVINCETOWN BOARD OF HEALTH PUBLIC HEARING NOTICE TOBACCO CONTROL

Acting under the authority of the Massachusetts General Laws Chapter 111, Section 31, the Provincetown Board of Health will hold a Public Hearing on Tuesday, March 14, 1995 at 7:00 p.m. in the Judge Welsh Hearing Room to receive public input on the Tobacco Control Model Regulations (October 7, 1994 draft) proposed for local adoption by the advisory committee to the Cape Cod Regional Tobacco Control Program. The Provincetown Board of Health will hold at least one more Public Hearing prior to making any decision on the adoption of local Tobacco Control Regulations.

If you have any questions, please contact the Health Department at (508) 487-7020.

Advocate: March 2 and 9, 1995

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage of real estate given by Richard B. Gidman and Marjorie G. Gidman to Duco Associates, Inc. of 1172 Beacon Street, Newton, Middlesex County, Massachusetts, which mortgage is dated January 17, 1991 and filed with the Barnstable County Registry District of the Land Court as Document no. 520801 as noted on Certificate of Title No. 83666, of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at public auction at 2:00 p.m. on the 5th day of April, 1995 on the mortgaged premises hereinafter referred to all an singular the premises known as and numbered Lot #20, Twine Field Road, North Truro, Massachusetts and more particularly described in said mortgage, to wit:

The land in Truro, Barnstable County, Massachusetts, bounded and described as follows:

NORTHEASTERLY by Twine Field Road, as shown on the plan hereinafter mentioned, one hundred twenty-eight and 02/100 (128.02) feet;

SOUTHEASTERLY by said Twine Field Road, on a curved line with a radius of 150.64 feet, a distance of one hundred fifty-four and 53/100 (154.53) feet;

SOUTHWESTERLY by Lot 11, as shown on said plan, three hundred nine and 30/100 (309.30) feet;

NORTHWESTERLY by Lot 18 as shown on said plan, forty-six and 00/100 (46.00) feet; and again

NORTHWESTERLY by Lot 19 as shown on said plan, one hundred ninety-eight and 90/100 (198.90) feet.

Containing 30,029 square feet, accordingly to said plan.

All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 36355-B dated September 13, 1974, prepared by Schofield Brothers, Inc., Registered Professional Engineers and Land Surveyors, and filed in the Land Registration Office at Boston, a copy of which is filed in Barnstable County Registry District in Land registration Book 510, Page 56, with Certificate of Title No. 63366, and said land is shown thereon as Lot 20.

Said Lot 20 is subject to the rights set forth or referred to in Certificate of Title No. 6336 so far as the same are now in force and applicable, including the rights set forth in an easement filed with Barnstable County Registry District as Document No. 193004, and is subject to the rights of the public in the sidewaters of Cape Cod Bay.

Said Lot 20 is also subject to the reservations, restrictions and covenants set forth in a Declaration of Bay Village Associates, recorded in Barnstable County Registry District as Document No. 196481.

Said Lot 20 is also subject to a right of way easement to New Bedford Gas and Edison Light Company and New England Telephone and Telegraph Company.

Said Lot 20 is also subject to an easement reserved to the Grantor in order to slope, grade or bank on said lot for the purpose of supporting the ways shown on the aforesaid plan abutting said lot.

This conveyance is made together with the right to use Pilgrims Path, Twine Field Road, Pond Village Avenue, Bay Front Lane and Bay Village Road, private ways as shown on the aforesaid plan and a plan entitled "subdivision Plan of Land in Truro (North) Mass.," as surveyed and prepared for Bay Village Associates, dated September 12, 1974, Schofield Brothers, Inc. Registered Professional Engineers and Land Surveyors, recorded in Barnstable County Registry of Deeds in Plan Book 291, page 51 for ingress and egress by motor vehicles and pedestrians to said Lot 20.

The Mortgaged Premises are conveyed subject to and with the benefit of any and all easements, rights and restrictions of record insofar as the same are now in force and applicable.

The Mortgaged Premises will be sold subject as set forth above and subject to all outstanding tax titles, municipal or other public taxes, water and sewer charges, assessments, liens or claims in the nature of liens if any, and encumbrances of record created prior to the Mortgage, including covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, limitations on title, all leases and tenancies having priority over the Mortgage, to tenancies or occupation by persons on the Mortgaged Premises now and at the time of said auction which tenancies or occupation are subject to the Mortgage, to rights or claims in per-

sonal property installed by tenants or former tenants now located on the Mortgaged Premises, and also to all laws and ordinances including, but not limited to all building and zoning laws and ordinances, if any of the foregoing there be.

Terms of Sale: Fifteen Thousand Dollars (\$15,000.00) will be required to be paid by bank or certified check (subject to collection) at the time and place of sale as earnest money. The balance is to be paid by bank or certified check (subject to collection) within 30 days thereafter provided such day is one on which the Barnstable Registry of Deeds is open for business, and if not, then on the next day on which said Registry is open for business. The successful bidder shall be required to sign a Memorandum of Sale containing the above terms at the Auction Sale.

In the event that the successful bidder at the foreclosure sale shall default in purchasing the Mortgaged Premises according to the terms of this Notice of Sale and/or the terms of the Memorandum of Sale executed at the time of the foreclosure, the Mortgagee reserves the right to sell the Mortgaged Premises by Foreclosure Deed to the second highest bidder provided that the second highest bidder shall deposit with the Mortgagee's attorneys, Barr & Cole, the amount of the required deposit as set forth herein within three (3) business days after its receipt of written notice of the default of the previous highest bidder and title shall be conveyed to said second highest bidder within twenty (20) days of its delivery of the required deposit to the Mortgagee's attorneys. The Mortgagee reserves the right to postpone the sale to a later time and date by public proclamation at the time and date appointed for the sale and to further postpone the sale at any adjourned sale date by public proclamation at the time and date appointed for the adjourned sale date.

Purchaser shall be responsible for costs of documentary stamps. Other terms, if any, to be announced at the time and place of sale. DUCO ASSOCIATES, INC. Present Holder of a Mortgage By its attorneys, HENRY L. BARR BARR & COLE 1172 Beacon Street Suite 2020 Newton, MA 02161 (617) 969-1381 Advocate: March 9, 16 and 23, 1995

SEASONAL POSITIONS DEPARTMENT OF PUBLIC WORKS

The Town of Provincetown is accepting applications for the following seasonal positions:

COMFORT STATION MPL - 4 persons
Town Hall - 4 persons
BARRELS & GROUNDS 2 persons

TRANSFER STATION 2 persons

Job descriptions, pay scales and applications may be obtained from the office of the Town Manager, 260 Commercial Street, Provincetown, MA 02657. Completed applications must be returned to that office by 5:00 p.m. on Thursday, March 16, 1995 for consideration. The Town of Provincetown is an equal opportunity employer.

Keith A. Bergman
Town Manager
Advocate: March 2 and 9, 1995

TOWN OF PROVINCETOWN INVITATION FOR BIDS SIDEWALK IMPROVEMENT PROGRAM

Sealed bids for the reconstruction of approximately 2,600 feet of concrete and brick sidewalk for and within the Town of Provincetown, Massachusetts will be received at the Office of the Town Manager, Town Hall, 260 Commercial Street, Provincetown, MA 02657 until 2 p.m. prevailing time

on Thursday, March 23, 1995, at which time and place said bids will be publicly opened and read aloud.

The Instructions to Bidders, Form of General Bid, Contract, Plans, Specifications, Performance and Payment Bond, and other contract documents may be examined and obtained or mailed from the Department of Public Works, located at 26 Alden Street, Provincetown, MA 02657 from 8 a.m. to 4 p.m., Monday through Friday. To request bid documents, please call 508-487-7060.

All bids for this project are subject to applicable bidding laws of Massachusetts, including M.G.L. Ch. 30, §39M as amended. Wage rates are subject to the minimum wage rates as per M.G.L. Ch. 49, §26 to 270 inclusive. Complete instructions for filing bids are included in the Instructions to Bidders. The Bidder agrees that this bid shall be good and may not be withdrawn for a period of thirty days, Saturdays, Sundays and legal holidays excluded, after the opening of the bids. The owner reserves the right to waive any informalities or to reject any or all bids.

Keith A. Bergman
Town Manager
Advocate: March 2 and 9, 1995

POSITIONS AVAILABLE MEDICATION NURSE/CAPE END MANOR AND ON-CALL RELIEF CHARGE/ MEDICATION NURSE

The Town of Provincetown is accepting applications for the permanent full-time position of Medication Nurse at the Cape End Manor Nursing Home (starting salary \$467.60 or \$540.00 per week, depending on education and experience) and for Relief On-call Charge/Medication Nurse (\$11.69/hour or \$13.50/hour, depending on education/experience). Applications and job descriptions are available in the office of the Town Manager, 260 Commercial Street, Provincetown, MA 02657 (508-487-7000). Completed applications must be returned to that office by 5:00 p.m., Thursday, March 16, 1995 for consideration. The Town of Provincetown is an equal opportunity employer.

Keith A. Bergman
Town Manager
Advocate: March 2 and 9, 1995

TOWN OF PROVINCETOWN Building Permit Applications February 27 - March 3, 1995

Larry Murphy, 10 Carver Street. Rebuild Decks.
Lee Brenner, 331 Commercial St. Change of use.
Damon Thomas, 9 Holway Ave. Enlarge front entryway.
David Maurer, 89 Bradford Street. Retaining wall, sliding doors, install windows, frame floors.
Jim Lucey, 48A Commercial St. Interior remodeling.
Oscar Rodgers, 72A Commercial St. Stairs to basement.
Clifford Silva, 7 Brewster St. Add boiler room.
Angels Landing Condo Assoc., 353 Commercial St. Replace 2 exterior doors.
Dana Milton, 7 Cook St. Remodel bathrooms, add 3 bathrooms add 2nd means of egress.

TOWN OF PROVINCETOWN Building Permits Issued

February 27 - March 3, 1995
95-B-63. Ralph Hubble, 12 Johnson St. Remove & replace deck, bring guard rail to code. \$5,000.
95-B-64. Cynthia Luster, 27 Standish St. Install 2 wood stoves. \$200.
95-B-65 M. Joy McNulty, 20 Conwell St. Add unit for kitchen and bath, increase units to 3. \$4,000.
95-B-67. Keith Stone, 132 Commercial St. Replace window and front door. \$4,000.
95-B-68. James Foss, 7 Winthrop St. Beam and footing renovation. \$2,000.
95-B-69. Oscar Rodgers, 72A Commercial St. Stairs to Basement. \$950.

95-B-70. Deller Groll, 49 Bayberry Ave. Retaining wall. \$6,700.
95-B-71. Michael Vignali, 25 Tremont St. Alteration & addition. \$70,000.

TOWN OF PROVINCETOWN REQUEST FOR PROPOSALS To Purchase 1,629 Square Feet of Town Land

Abutting 26 Brewster Street
The Town of Provincetown is seeking bids for the purchase of 1,629 square feet of town owned land abutting 26 Brewster Street. This property was declared surplus by Provincetown Town Meeting on April 4, 1994 and by the Provincetown Board of Selectmen on February 27, 1995. This parcel is undevelopable land and has been valued as such by the Provincetown Board of Assessors. The assessed value of the land is \$2,600. Provincetown uses 100% valuation.

Proposals will be accepted at the office of the Town Manager/Board of Selectmen, Provincetown Town Hall, 260 Commercial Street, Provincetown, MA 02657 until 4:00 p.m. Thursday, March 30, 1995 after which no bids will be accepted. A complete Request for Proposals is available from the Town Manager/Board of Selectmen's office. Completed proposals must include a complete purchase proposal form and a certified or cashier's check payable to the Town of Provincetown in the amount of \$500 as a deposit on the purchase price.

The Town of Provincetown reserves the right to accept or reject any and all proposals, if it is in the best interests of the Town to do so.

Keith A. Bergman
Town Manager
Advocate: March 9 and 16, 1995

PUBLIC NOTICE

On Tuesday, March 14, 1995 at 5:00 p.m. the Provincetown Licensing Board will hold a public meeting in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, Massachusetts, to hear the following applications:

1. Preliminary proposal for a new Taxicab and Taxi Operator licenses to Joel Ouellet, d/b/a, Cape Caddy Cab, 441 Commercial Street. (Corrected copy)
2. Preliminary proposal for a new Taxicab license to Luther Bumps, d/b/a, Provincetown Taxi, 508 Commercial Street.
Betty Steele-Jeffers, Chairman
Licensing Board
Advocate: March 9, 1995

THE PROVINCETOWN BOARD OF HEALTH PUBLIC HEARING NOTICE

Acting under the authority of Massachusetts General Laws, Chapter 111, Section 31, the Provincetown Board of Health will hold a Public Hearing on Thursday, March 9, 1995 at 5:15 p.m. in the Police Station Conference Room, 14 Shank Painter Road, for the purpose of reviewing, revising and deleting from (as necessary) Part VII of the Provincetown Board of Health Regulations, which consist of supplements to Title V.

Advocate: March 9, 1995

TOWN OF PROVINCETOWN PLANNING BOARD NOTICE OF PUBLIC HEARING

The Provincetown Planning Board will hold a Public Hearing on Tuesday, March 28, 1995, at 7 pm in the Caucus Hall meeting room located at Town Hall, 260 Commercial Street as follows: 7 PM: Public Hearing as required by Sections 3000, 3151, 3153 of the Provincetown Zoning By-Laws for: Ian McMillan, 359 Commercial Street, Commercial Site Plan Review.

Advocate: March 9 and 16, 1995

D•E•A•D•L•I•N•E

Classifieds and
Legals
Mondays at 1 p.m.

REVOLVING FUNDS

Article 6. Revolving Account for the Preservation of Town Hall Auditorium. To see if the Town will vote to continue for FY 1996 the Revolving Account for the Preservation of Town Hall Auditorium established pursuant to MGL C.44, §53E½, to allow receipts from the rental fees charged for the public use of Town Hall Auditorium to be segregated into a special account; and with funds therefrom, up to a limit of \$2,500 annually, to be expended for the repair, updating and refurbishing of the Town Hall Auditorium under the direction of the Town Manager and Board of Selectmen, or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Article 7. Shellfish Grant Revolving Account. To see if the Town will vote to continue for FY 1996 the Shellfish Grant Revolving Account established pursuant to MGL C.44, §53E½, to allow receipts from Shellfish Grants to be segregated into a special account; and with funds therefrom, up to a limit of \$2,500 annually, to be expended under the direction of the Marine Superintendent and the Board of Selectmen for the purpose of shellfish seeding, cultivation on public shellfish areas, or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Article 8. Revolving Account for Sales of Home Compost Units. To see if the Town will vote to establish pursuant to MGL C.44, §53E½ for FY 1996 a Revolving Account for Sales of Home Compost Units to allow receipts from sales of home composting units to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for purchase of additional home composting units to be sold to residents of the Town of Provincetown under the direction of the Recycling Committee and Board of Selectmen, or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Recycling Committee]

OTHER APPROPRIATION ARTICLES

Article 9. School Bus Replacement. To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$47,000 to be expended under the direction of the School Committee for the replacement of a 1985 school bus, or to take any other action relative thereto.

[Requested by the School Committee]

Article 10. Bicycle Racks. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,000 to purchase bicycle racks and place them at the West End Parking Lot, the Main Parking Lot, Town Hall, the First Landing Place Park, and other places if feasible, under the direction of the Director of Public Works in consultation with Beautification and Bicycle Committees, or to take any other action relative thereto.

[Requested by the Beautification Committee]

Article 11. 375th Anniversary Celebration(s). To see if the Town will vote to request the Town to appropriate \$6,000 to be used for expenses that may be incurred for the 375th Anniversary Celebrations. Specifically, events required to accommodate gubernatorial/presidential visits. Unused monies to be returned to the General Fund, or take any other action relative thereto.

[Requested by Dale Szczech and others]

Article 12. Litter Barrels. To see if the Town will vote to raise and appropriate or transfer from available funds two thousand dollars (\$2,000) to purchase attractive and appropriate litter containers and place them in the downtown area, and other places if feasible, under the direction of the DPW consulting with the Beautification Committee, or to take any other action relative thereto.

[Requested by Elizabeth Patrick and others]

Article 13. FY 1996 Human Services Grant Program. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$39,981, to be expended under the direction of the Board of Selectmen, to fund grants to assist non-profit agencies and organizations to maximize available resources to meet needs identified by the community by providing services to local residents, particularly those of low- and moderate-income and those who are uninsured or underinsured, as follows:

Cape Cod Child Care Development Program, Inc.	\$100
Cape Cod Council on Alcoholism & Drug Dependence	900
Cape Cod Human Services, Inc.	9,000
H.O.W./Helping Our Women	500
Independence House, Inc.	2,886
Legal Services for Cod Cape & Islands/Elder Law Project	4,500
Lower Cape Human Services Committee, Inc.	5,500
Lower Cape Outreach Council	3,500
Nauset, Inc.	4,945
Provincetown AIDS Support Group	3,000
Provincetown/Turo Mediation Service	2,000
Sight Loss Services, Inc.	350
Soup Kitchen in Provincetown	2,800

or to take any other action relative thereto.

[Requested by the Town Manager, Board of Selectmen, and Human Services Committee]

Article 14. Use of Parking Funds to Reduce the Tax Rate. To see if the Town will vote to transfer a sum of money from Parking Funds to reduce the Fiscal Year 1996 property tax levy, as provided by Chapter 790 of the Acts of 1981, or to take any other action relative thereto.

[Requested by the Town Manager and the Board of Selectmen]

CHARTER AMENDMENTS

Article 15. Home Rule Petition/Charter Amendment/Selectmen as Licensing Board. Whereas in almost all towns in the Commonwealth the Selectmen act as the Licensing Board; whereas elected officials are more responsive and responsible to the electorate; whereas the authority and responsibility of the Selectmen will be enhanced and the electorate better served; To see if the Town will vote to instruct its representative in General Court to file a home rule petition to amend the Provincetown Charter by a special act as follows:

SECTION 1. In the Provincetown Charter, Chapter 6, omit section 10 "General Powers", add a new section: 4-2-1 "The Board of Selectmen shall be the Licensing Board and act as the licensing authority with respect to all licenses issued by the Town to operate a business or any part of a business." The other section numbers in Section 2 shall be renumbered.

or to take any other action relative thereto.

[Requested by Gabriel Brooke and others]

Article 16. Home Rule Petition/Charter Amendment/Building Committee Composition. To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

SECTION 1. The Charter of the Town of Provincetown which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws is hereby amended by striking out section 6-5-1, which currently reads as follows:

There shall be a building committee, consisting of five regular members, one of whom shall be an attorney, and one of whom shall be a building contractor, and one alternate member appointed by the board of selectmen for three-year overlapping terms so arranged that the term of at least one regular member shall expire each year.

and inserting in place thereof the following section:

There shall be a building committee, consisting of five regular members and one alternate member appointed by the board of selectmen for three-year overlapping terms so arranged that the term of at least one regular member shall expire each year.

SECTION 2. This act shall take effect upon its passage.

or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Article 17. Home Rule Petition/Charter Amendment/Cure Certain Conflicts with State Election Laws. To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

SECTION 1. The Charter of the Town of Provincetown which is on file in the office of the Archivist of the Commonwealth as provided in Section 12 of Chapter 43B of the General Laws is hereby amended by striking out section 10-1-6, and inserting in place thereof the following section:

The selectmen shall forthwith give written notice of the receipt of the certificate to the officer sought to be recalled and shall, if the officer does not resign within five days thereafter, order an election to be held on a date fixed by them not less than twenty-five days or more than thirty-five days after the date of the town clerk's certificate that a sufficient petition has been filed; provided, however, that if any other town election is to occur within sixty-one hundred days after the date of certificate, the selectmen shall postpone the holding of the recall election to the date of such other election. If a vacancy occurs in said office after a recall election has been ordered, the election shall nevertheless proceed as provided in this section. Candidates to fill such vacancy shall be nominated in the same manner as for an annual election.

SECTION 2. This act shall take effect upon its passage.

or to take any other action relative thereto.

[Requested by the Town Manager]

GENERAL BY-LAW REVISIONS

Article 18. By-law Amendment/Commercial Solicitation on Public Property. To see if the Town will vote to amend General By-law Section 6-1-1(c), to read as follows:

Commercial Solicitation on Public Property

1. No organization or person upon public property or a public way, or upon private property or a private way without permission of the owner or owners thereof, shall solicit or canvass persons upon any public property or public way to enter into a commercial transaction, including the purchase of any merchandise or any type of real estate, time share, interval ownership and/or other property and/or any type of admission, without first registering with the Police Chief or his designee and obtaining identification which shall be prominently displayed upon the person.

2. The Board of Selectmen shall develop and institute regulations for the speedy administration of the registration process hereunder.

3. The Police Chief shall refuse to register an organization or individual

(i) Who refuses to provide any of the information reasonably required to register said person or organization pursuant to this By-law or any rules or regulations promulgated hereunder;

(ii) Who has been convicted of any crime affecting personal safety, such as murder/manslaughter, rape, robbery, assault, battery or kidnapping, within the preceding ten years;

(iii) Who has been determined by the Police Chief to be a fugitive from justice; or

(iv) Whose registration has been revoked for violation of this By-law within the previous two-year period.

4. Any person aggrieved by reason of his inability to register or obtain identification for commercial solicitation from the Police Chief or designee, or by reason of revocation of his registration, may, within 5 days, appeal said decision in writing to the Board of Selectmen. The Board of Selectmen shall hear and determine said appeal within 20 days after filing or the written notice of appeal. If the Board of Selectmen shall not act upon such appeal within said 20 days, the Police Chief or his designee shall register or reinstate said person or organization and issue said identification.

5. It shall be the duty of every organization employing solicitors or canvassers to notify the Police Department daily as to the area(s) of the Town in which they will be operating.

6. It shall be unlawful for a solicitor or canvasser to do any of the following:

(i) Falsely represent, directly or by implication, that the solicitation or canvassing is being done on behalf of a governmental organization.

(ii) Solicit or canvass before 8:00 A.M. or after 9:00 P.M.

(iii) Solicit or canvass in any manner which has been found, after investigation by a police officer, to have been conducted in a threatening, abusive, or harassing fashion.

(iv) Continue to directly solicit or canvass towards any person who expresses his or her unwillingness to continue to be solicited or canvassed.

(v) Forcefully detain or impede any person who has expressed unwillingness to be solicited or canvassed.

7. Any person or organization who is convicted of any crime affecting personal safety as described in section 3(ii), who violates any provision of this By-law or the regulations promulgated hereunder, or who knowingly provides false information on the registration application, or any person who is determined by the Police Chief to be a fugitive from justice, shall have his, her or its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person or sent to the holder by certified mail at the address set forth

in the application.

8. Any person or organization violating any of the provisions of this By-law or any of the rules or regulations promulgated hereunder shall be subject to a fine of \$100.00 for the first offense; \$200.00 for the second offense and \$300.00 for each subsequent offense. This By-law may be enforced by any police officer of the Town of Provincetown.

9. This section shall not apply to persons holding licenses issued by the Town of Provincetown for peddlers, or to persons holding permits or licenses to expose for sale merchandise upon public property, streets or sidewalks within the Town of Provincetown acting within the scope of their permits or licenses or who are engaged in an activity expressly exempted by special or general laws from such licenses or permits.

or to take any other action relative thereto.

[Requested by Board of Selectmen]

Article 19. By-law Amendment/Side Street Business Directory Signs. To see if the Town will vote to amend Chapter 6, Section 6-10-12.e. of the Town of Provincetown General By-laws by making the following changes: Item 1; by deleting said Section 6-10-12.e. in its entirety and inserting the following in place thereof:

In addition to any other allowable signs, one Directory Sign shall be allowed for a group of one or more licensed businesses with a remote entrance on a private way or with an entrance on a public way which way intersects with Commercial Street. Directory listings shall be of a size and nature that the Town is already using, such as the No Parking and other street information signs, and will be sized such to accommodate the number of listings required.

Directory Signs providing direction to businesses with an entrance on a public way which intersects with Commercial Street may be placed on the signpost at the intersection of said intersecting public way and Commercial Street on which the sign identifying said intersecting public way is located. The cost of any sign and its installation on any signpost under the control of the Town shall be borne by the business owners and shall be placed thereon only with prior approval of the Town Director of Public Works who may prescribe the method and location of attachment to said signpost and provide further that said Director of Public Works, or his designee, shall inspect installation of any Directory Sign on any said signpost and may order the removal of any Directory Sign not installed in accordance with the method and location as prescribed by said Director.

or to take any other action relative thereto.

[Requested by Napi Van Derek and others]

Article 20. By-law Revision/Street Performance Permits. To see if the Town will vote to amend Chapter 6 of the Provincetown General By-laws by adding a new Article 13, "Street Performance Permits," as follows:

6-13 Street Performance Permits

6-13-1 **Purpose.** The existence in Provincetown of street performers provides a public amenity that enhances the character of the Town, and the Town seeks to encourage such performances to the extent that they do not interfere with the reasonable expectations of (1) residents to the enjoyment of peace and quiet in their homes or (2) business owners to public access to their businesses. This By-law seeks to balance the interests of the performers with those of the residents of the Town.

6-13-2 Definitions

6-13-2-a **Perform** - includes, but is not limited to, the following activities: acting, singing, playing musical instruments, pantomime, juggling, magic, dancing, reading and reciting, conducted live and in person, but shall not include presentations of audio/visual reproductions of such activities.

6-13-2-b **Performer** - means a person who has obtained a permit pursuant to this By-law.

6-13-2-c **Public Areas** - means public sidewalks, parks, playgrounds and all public ways in Provincetown.

6-13-3 **Prohibition** No person may perform in a public area without a permit issued pursuant to Section 6-13-4 of this By-law.

6-13-4 Permit

6-13-4-a A permit shall be issued by the Police Department to each applicant therefor in exchange for a completed application.

6-13-4-b A completed application for a permit, and the permit itself, shall contain the applicant's name, residence address and telephone number, and shall be signed by the applicant. The applicant's signature shall constitute a certification that she or he has received, read, and understood the text of this By-law. If a performer has knowingly provided false information in the application for a permit or has not signed the application, any permit issued pursuant to such application shall be invalid.

6-13-4-c A permit shall be valid from the date on which it is issued through the end of that year.

6-13-4-d A permit shall be non-transferrable, and shall contain the permit number of the applicant and the year in which the permit is valid. Each member of a group of performers who play together shall be required to obtain an individual permit.

6-13-4-e Upon issuing a permit, the Police Department shall also give the performer a copy of this By-law.

6-13-5 **Display of Permit** A performer shall clearly display his or her permit while performing, or have the permit on her or his person, and shall allow inspection of the permit by any Provincetown police officer upon request.

6-13-6 Permitted Performances

6-13-6-a Performances may take place in the following locations:

1. In public areas, except: (a) within one hundred (100) feet of an elementary and/or secondary school, library or religious facility while in session; (b) within one hundred (100) feet of a hospital at any time; (c) within one hundred (100) feet of Town Hall during business hours or any Town-related meeting if any person transacting such business requests that a performance discontinue for the reason that such performance is hindering said business; and (d) public areas from which all performances have been excluded by vote of the Board of Selectmen after public hearing and notice thereon. Such notice shall be advertised at least once in a local newspaper no less than fourteen (14) days prior to the hearing.

2. On private property, with the written permission of the owner or other person in control of such property.

3. In public areas where an authorized street fair or public festival is being conducted, with the permission of the sponsor of such fair or festival.

6-13-6-b Performances may take place at the following times: seven days per week, between 11:00 a.m. and 11:00 p.m.

6-13-6-c A performer may not create an undue interference with the passage

of the public through a public area. If a performer attracts a crowd sufficient to obstruct the public way, such performer shall request that the crowd eliminate the obstruction. If such efforts to eliminate the obstruction fail, a police officer shall ask the performer to stop the performance until that part of the crowd that is creating the obstruction disperses. A police officer may disperse the portion of the crowd that is creating the obstruction.

6-13-7 Penalties

6-13-7-a **Non-Criminal Disposition** Whoever violates any provision of this By-law may be penalized by a non-criminal disposition as provided in this By-law Chapter 40, section 21D. For the purposes of this By-law, the following officials shall be enforcing persons: Provincetown police officers. The penalty for each violation shall be fifty dollars (\$50), with each day the violation exists constituting one written warning by a police officer informing the performer of the by-law and the requirement of a permit before any subsequent violations are issued.

6-13-8 **Exclusivity** The provisions of this By-law shall take precedence over any other Town By-laws applicable to Street Performances. To the extent that other Town regulations or By-laws are applicable and are inconsistent with this By-law, this By-law shall govern.

6-13-9 **Peace and Quiet** A performance in accordance with this By-law shall be presumed not to constitute a "noise nuisance," "disorderly conduct," or an "excessive musical or other noise" in violation of 8-3, 11-1, or 11-3 of the Provincetown General By-laws.

6-13-10 **Severability** The provisions of the sections of this By-law are severable, and if any part of this By-law should be held invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of the By-law and the remainder of the By-law shall stay in full force and effect.

and, further, by amending Section 13-3-2-2 by adding after "6-9-1," the following:
6-13 **Street Performance By-law Violation:** Fifty dollars (\$50).
or to take any other action relative thereto.

[Requested by John W. Thomas and others]

Article 21. By-law Amendment/Handicapped Parking Spaces on Private Property. To see if the Town will vote, pursuant to MGL Chapter 40, section 21, clauses 23 and 24, and to 521 C.M.R. Part C, §23, to amend General By-law Chapter 10 by adding a new Section 8, **Handicapped Parking Spaces on Private Property**, to read as follows:

10-8-1 **Unauthorized Parking in Handicapped Parking Spaces Prohibited.** No person shall park a motor vehicle, motorcycle, or like means of transportation in a designated parking space that is reserved for vehicles owned and operated by disabled veterans or handicapped persons and bearing the distinctive number plates or, for vehicles transporting a handicapped person, displaying the special parking identification plate authorized by MGL C.90,§2, or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province.

10-8-2 **Requirements for Handicapped Parking Space.** Any person or body that has lawful control of a public or private way, or of improved or enclosed property used as off-street parking areas for businesses, shopping malls, theatres, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall be required to reserve parking spaces in said off-street parking areas for any vehicle owned and operated by disabled veterans or handicapped persons and bearing the distinctive number plates or, for vehicles transporting a handicapped person, displaying the special parking identification plate authorized by MGL C.90,§2, or for any vehicle bearing the official identification of a handicapped person issued by any other state or any Canadian Province, according to the following formula:

16 to 25 spaces	- 1 designated space
26 to 40 spaces	- 5 % but not less than 2 spaces
41 to 100 spaces	- 4 % but not less than 3 spaces
101 to 200 spaces	- 3 % but not less than 4 spaces
201 to 500 spaces	- 2 % but not less than 6 spaces
501 to 1,000 spaces	- 1.5 % but not less than 10 spaces
1,001 to 2,000 spaces	- 1 % but not less than 15 spaces
2,001 to 5,000 spaces	- 0.75 % but not less than 20 spaces
More than 5,000 spaces	- 0.5 % but not less than 30 spaces

10-8-3 Sign Requirements for and Location of Handicapped Parking Spaces.

Each parking space designated as reserved under the provisions of Section 10-8-2 of this By-law or each pair of such spaces shall be identified by a permanently installed above-grade sign located at a height of not less than five (5) feet and not more than eight (8) feet to the top of the sign with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May Be Removed at Owner's Expense," and must also contain the international symbol of accessibility which is a person in a wheelchair. Such parking spaces shall be as near as possible to a building entrance or walkway and adjacent to curb ramps or other unobstructed methods which permit sidewalk access to a handicapped person, shall be twelve feet wide or have two eight (8) foot wide areas with four (4) feet of cross hatch between them and contain the international symbol of accessibility on their surface. However, on unpaved lots, parking spaces shall be designated only by the sign as defined in this Section. Where the designated parking space cannot be located within two hundred (200) feet of an entrance accessible to the physically handicapped, a drop-off area accessible to the physically handicapped shall be provided within one hundred (100) feet of such entrance.

10-8-4 **Applicability.** This By-law shall apply to any existing or future parking area to which the public has a right to access as invitees or licensees and which contains more than fifteen (15) parking spaces.

10-8-5 Penalties.

a. The penalty for parking in violation of Section 10-8-1 shall be twenty-five dollars (\$25.00) for the first offense, and fifty dollars (\$50.00) for the second and any subsequent offense(s). In addition, any vehicle parked in violation of Section 10-8-1 may be removed in accordance with MGL Ch. 266, §120D. The Chief of Police or his designee shall enforce the provisions of this section. The penalty for failure to establish and/or maintain the parking spaces and signs required by Sections 10-8-2 and 10-8-3 shall be a fine of two hundred dollars (\$200.00) for each day failure continues. The Building Inspector shall enforce the provisions of this section.

10-8-6 **Effective Date.** Establishment of handicapped parking spaces and erection of handicapped parking signs shall be completed within thirty (30) days of the effective date of this by-law.
and further amending Section 13-3-2-2 of said By-laws by adding after "10-7," the following:

10-8-1 Unauthorized Parking in Handicapped Parking Spaces; First Offense \$25.00;
Second and Subsequent Offenses \$50.00
10-8-2, 10-8-3 Requirements for Handicapped Parking Space
or to take any other action relative thereto.

[Requested by the Board of Selectmen and the Disability Commission]

TOWN BOARD COMPOSITION

Article 22. Add Alternate Member to John Anderson Francis Family Scholarship Committee. To see if the Town will vote to amend Article 41 of the 1984 Annual Town Meeting, to include one (1) alternate member on the John Anderson Francis Family Scholarship Committee, to be appointed for a three-year term, appointed by the Scholarship Committee, or to take any other action relative thereto.

[Requested by the John Anderson Francis Family Scholarship Committee]

Article 23. Abolish Community Relations Committee. To see if the Town will vote to rescind the vote under Article 37 of the March 12, 1990 Annual Town Meeting which established a Community Relations Committee, insofar as many of the functions of said committee are performed by the Community Policing Steering Committee established under Article 1 of the April 7, 1993 Special Town Meeting, or to take any other action relative thereto.

[Requested by the Board of Selectmen]

REAL PROPERTY

Article 24. Abandon Layout and Funding of Conant Street Extension. To see if the Town will vote to discontinue and abandon that portion of an old Town way now known as Conant Street Extension, said layout as shown on a plan entitled "Conant Street Extension," (on file in the Town Clerk's Office) and to rescind the vote taken pursuant to Article 26 of the April 4, 1994 Annual Town Meeting to accept said layout and funding of Conant Street Extension, or to take any other action relative thereto.

[Requested by Leonard E. Enos, Jr. and others]

Article 25. Disposition of Former Fire Stations. To see if the Town will vote to amend the vote under Section 4 of Article 52 of the March 14, 1988 Annual Town Meeting, which was amended by Article 3 of the April 7, 1993 Special Town Meeting to read: "4. To authorize the Board of Selectmen, upon the declaration by the Board of Fire Engineers that the properties [i.e., Fire Headquarters, Engine Company No. 1, and Engine Company No. 2], or any of them, are surplus to Fire Dept. needs, to sell the subject properties and return them to the tax rolls. Notwithstanding, the Board of Selectmen may retain the Fire Headquarters building, 256 Commercial Street, for public safety purposes," by adding the following additional sentence:

"Notwithstanding, the Board of Selectmen may elect to retain the said properties for suitable use by the Town of Provincetown or to sell or lease any or all of them to any suitable private, public, or non-profit entity."

or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Article 26. Disposition of No. 2 Firehouse at 189 Commercial Street. To see if the Town will vote to seek approval for removal of said building, retain land for park, expansion of Town landing and/or public beach access, etc., or take any other action relative thereto.

[Requested by Francis J. Santos and others]

Article 27. Establishment of a Town Square in Memory of Robert Souza. To see if the Town will vote to establish the intersection of Jerome Smith Road and Shankpainter Road as a Town Square in memory of Robert Souza, who died in Germany while serving his country as a soldier in the United States Army, and to raise and appropriate or transfer from available funds the sum of \$500 to purchase and install a pole and name plate of a similar design to those established memorials at other Town squares and intersections; or to take any other action relative thereto.

[Requested by Board of Selectmen]

Article 28. Home Rule Petition/Cure Encroachment at 942 Commercial Street. To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act as follows:

SECTION 1. Notwithstanding the provisions of Chapter 30B, Section 17, and Chapter 40, Section 54A, of the general Laws, the Board of Selectmen of the Town of Provincetown is authorized pursuant to Chapter 40, Section 3, of the General Laws to convey to Florence Coppola for the sum of \$600.00 a parcel of land comprising of 2,992 square feet more or less abutting 942 Commercial Street, shown on a Plan dated September 8, 1993, prepared by Slade Associates, Inc., on file in the Town Clerk's office, and a Plan prepared by Slade Associates, Inc., dated March 2, 1995, said conveyance needed to cure a building encroachment onto an abandoned railroad right of way owned by the Town.

or to take any other action relative thereto.

[Requested by Ditta Springer and others]

Article 29. Disposition of Surplus Real Property to Cure Encroachment at 63 Mayflower Avenue. To see if the Town will vote to transfer the care, custody, control and management of a portion of the abandoned railroad right of way, consisting of 35.5 square feet, more or less, abutting 63 Mayflower Avenue, and being shown on a plan prepared by Nickerson Berger, Inc., dated March 1995 and filed in the office of the Town Clerk, to the Board of Selectmen; and further, to authorize the Board of Selectmen to convey to Mark D. Melen for the sum of \$738.00 an easement to maintain that portion of the building at 63 Mayflower Avenue which encroaches upon the abandoned railroad right of way, said easement to maintain and repair the building, or to take any other action relative thereto.

[Requested by David Nicolau and others]

Article 30. Motorcycle Usage at Site 6 East. To see if the Town will vote to allow the continued use of a recreationally zoned area at Site 6 East (Old Burn Dump) as a moto-cross riding area and to follow all by-laws pertinent to this use, or to take any other action relative thereto.

[Requested by James Roach and others]

Article 31. Alternate Locations for Dirt Bikers. To see if the Town will vote to look into alternate areas for the use of dirt bikers, such as the town owned land behind the DPW garage, or to take any action relative thereto.

[Requested by Constance Black and others]

Article 32. Area of Critical Environmental Concern Nomination Process. To see if the

Town will vote to start the nomination process for an ACEC (Area of Critical Environmental Concern) at all Town-owned land north of Route 6 and extending west from the eastern end of Duck Pond, or to take any other action relative thereto.

[Requested by Peter Souza and others]

Article 33. Purchase Old A&P Property on Conwell Street. Whereas the Town seeks to establish outlying parking areas for seasonal use and is opposed in general to the creation of additional paved areas that are year-round; whereas the old A&P property on Conwell Street is adjacent to a main entry road into Provincetown and easily serviced by busses and other public transportation; whereas pedestrian access to the Town from Conwell Street and Route 6 could readily be improved of great service to the neighborhood and tourists; and whereas the income from parking would offset the cost of purchase of the property. To see if the Town will vote to have the Town negotiate for the purchase by the Town of the old A&P property on Conwell Street from the purpose of parking, and other uses as the Town may see fit, and to bring to the voters at a Special Town Meeting within no more than six months a proposal to purchase this property at an agreed-upon price, or take any other action relative thereto.

[Requested by Elizabeth Patrick and others]

Article 34. Acceptance of Creek Round Hill Road and a Portion of Pilgrim Heights Road as Public Ways. To see if the Town will vote to accept the layout of Creek Round Hill Road and a portion of Pilgrim Heights Road as public ways, said layouts as shown on a plan entitled "Subdivision Plan of Land in Provincetown" prepared by William N. Rogers, March 1979, on file in the Town Clerk's office and incorporated herein by reference, or to take any other action relative thereto.

[Requested by Kevin M. Kimball and others]

Article 35. Home Rule Petition: Alternative Regulation of Towing of Motor Vehicles from Private Ways and Property. To see if the Town will vote to instruct its representative in the General Court to file a home rule petition for a special act to read as follows:

SECTION 1. Notwithstanding the provisions of section 120D of chapter 266 of the General Laws or any other law to the contrary, the board of selectmen of the town of Provincetown is hereby authorized to adopt rules providing for alternative public safety regulation of the towing of motor vehicles from private ways and property.

SECTION 2. This act shall take effect upon its passage.

or to take any other action relative thereto.

[Requested by the Board of Selectmen]

Article 36. Signs Warning of Towing from Commercial Properties. To see if the Town will vote to erect double-faced signs at every entrance and/or exit of commercial properties whose owners have cars towed from their property on a regular basis, clearly informing the public that there is NO PARKING IN THIS PRIVATE LOT - 24 HOUR TOWING, with the MINIMUM FEE (in dollars) displayed in letters at least two inches tall, or to take any other action relative thereto.

[Requested by Barbara Rushmore and others]

Article 37. Install Metered Parking in Private Lots. To see if the Town will vote to have the Town negotiate with owners of private lots to install meters for metered parking for this summer for 24 hours per day, evenings, or weekends, as the other uses of the lots suggest, or to take any other action relative thereto.

[Requested by Barbara Rushmore and others]

Article 38. Metered Parking - 25 Bradford Street. To see if the Town will vote to have the Town negotiate with the owner(s) of the property at 25 Bradford Street (formerly the Bonnie Doone Restaurant) to install parking meters for 24 hour per day metered parking for this summer, or to take any other action relative thereto.

[Requested by Barbara Rushmore and others]

ZONING BY-LAW REVISION

Article 39. Amend Zoning District Map for 5 Masonic Place from W/Residential to R/Commercial. To see if the Town will vote to amend the existing Zoning Map of the Town of Provincetown, originally dated March 1, 1978, and amended from time to time, on file with the Town Clerk, as follows: By removing the following described real estate from the Class W/Residential District and extending the neighboring Class R/Commercial District to include this parcel:

The land together with the buildings thereon, known as and numbered 5 Masonic Place, Provincetown, Barnstable County, Massachusetts, bounded and described as follows: SOUTHWESTERLY by Masonic Place, a public way, forty-four feet nine inches (44' 9"); NORTHWESTERLY by land now or formerly of John W. Small, thirty-eight (38.00) feet; NORTHEASTERLY by land now or formerly of Benjamin Lancy, forty-two feet ten inches (42' 10"); and SOUTHEASTERLY by land now or formerly of Gertrude DeWager, forty-two feet four inches (42' 4").

or take any other action relative thereto.

[Requested by Reginald W. Cabral and others]

And you are directed to serve this Warrant by placing an advertisement in a newspaper of local circulation and posting up attested copies thereof at the Provincetown Town Hall, Provincetown Public Library, Grace Gouveia Town Office Building, Provincetown Community Center, A&P Supermarket, The Patrician, U.S. Post Office, One-Fifty Market Place, Provincetown Mechanics, Inc., Basil's Restaurant, and Simon's Delicatessen in said Town at least seven days before the time of holding said meeting.

THEREFORE FAIL NOT and make due return of this Warrant with your doings thereon, to the Town Clerk at the time and place of meeting as aforesaid.

BOARD OF SELECTMEN TOWN OF PROVINCETOWN

A TRUE COPY, ATTEST:
Sheila Silva
Town Clerk

Irene Rabinowitz
Lee Robinson
Custodio J. Silva, Jr.
Jane Antolini
Henry K. Evans

Date of Posting: March 9, 1995

PROPOSED FY 1996 OPERATING BUDGET Article 2, April 3, 1995 Annual Town Meeting

Division I GENERAL GOVERNMENT						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
113 Elections & Town Meetings						
Expenses	\$7,941	\$6,496	\$8,460	\$7,910	\$7,910	-6.5%
122 Board of Selectmen						
Personal Services	26,057	27,016	27,286	27,286	27,286	
Expenses	4,786	4,354	4,800	5,175	5,175	
sub-total	30,843	31,370	32,086	32,461	32,461	1.2%
123 Town Manager						
Personal Services	112,952	117,796	122,952	118,719	118,719	
Expenses	11,053	7,923	10,500	9,900	9,900	
sub-total	124,005	125,719	133,452	128,619	128,619	-3.6%
151 Legal Services						
Expenses	79,916	106,908	84,000	84,000	84,000	0.0%
156 Administration						
Personal Services		8,000	0	0	0	
Expenses	48,050	55,914	51,780	54,390	54,390	
sub-total	48,050	63,914	51,780	54,390	54,390	5.0%
161 Town Clerk						
Personal Services	37,078	38,479	39,759	40,219	40,219	
Expenses	5,813	4,958	6,400	6,400	6,400	
sub-total	42,891	43,437	46,159	46,619	46,619	1.0%
169 Licensing (DMI)						
Personal Services	27,281	28,689	29,123	29,223	29,223	
Expenses	1,754	2,601	4,250	3,300	3,300	
sub-total	29,035	31,290	33,373	32,523	32,523	-2.5%
171 Conservation Commission						
Expenses	67	81	800	1,885	1,885	136%
175 Planning Board						
Expenses	1,468	1,974	2,400	2,488	2,488	3.7%
176 Zoning Board of Appeals						
Expenses	1,563	2,079	2,111	2,150	2,150	1.8%
179 Historical Commission						
Expenses	0	1,228	1,465	1,465	1,465	0.0%
189 Municipal Advertising Committee						
Expenses	38,500	42,035	42,350	47,500	47,500	12.2%
I. General Government	\$404,279	\$456,531	\$438,436	\$442,010	\$442,010	0.8%

Division II FINANCE						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
131 Finance Committee						
Expenses	\$1,394	\$1,197	\$1,365	\$1,365	\$1,365	
Reserve Fund	22,875	28,006	35,000	35,000	35,000	
sub-total	24,269	29,203	36,365	36,365	36,365	0.0%
135 Town Accountant (DMF)						
Personal Services	83,963	88,519	91,432	91,560	91,560	
Expenses	20,910	18,833	21,525	21,550	21,550	
sub-total	104,873	107,352	112,957	113,110	113,110	0.1%
141 Board of Assessors (DMF)						
Personal Services	77,064	75,567	82,167	83,739	83,739	
Expenses	16,159	8,797	10,875	26,821	26,821	
sub-total	93,223	84,364	93,042	110,560	110,560	18.8%

145 Treasurer/Collector (DMF)						
Personal Services	98,522	108,330	120,090	123,914	123,914	
Expenses	26,650	21,302	23,300	23,300	23,300	
sub-total	125,172	129,632	143,390	147,214	147,214	2.7%
710 Debt Service						
Expenses	848,642	873,875	1,153,259	1,122,198	1,122,198	-2.7%
910 Retirement/Benefits/Insurance						
Expenses	1,973,852	2,028,015	2,156,800	2,176,229	2,176,229	0.9%
II. Finance	\$3,170,031	\$3,252,441	\$3,695,813	\$3,705,676	\$3,705,676	0.3%

Division III PUBLIC SAFETY						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
210 Police						
Personal Services	\$820,348	\$858,214	\$902,427	\$964,296	\$964,296	
Expenses	78,333	87,063	96,803	100,326	100,326	
sub-total	898,681	945,277	999,230	1,064,622	1,064,622	6.5%
220 Fire (DMI)						
Personal Services	124,555	119,188	129,207	133,861	133,861	
Expenses	76,830	86,770	85,322	87,994	87,994	
sub-total	201,385	205,958	214,529	221,855	221,855	3.4%
231 Ambulance Service						
Expenses	139,150	139,150	139,150	98,000	98,000	-30%
240 Inspections (DMI)						
Personal Services	85,438	83,969	86,515	87,947	87,947	
Expenses	45,531	45,057	48,191	48,513	48,513	
sub-total	130,969	129,026	134,706	136,460	136,460	1.3%
291 Emergency Management						
Personal Services	1,200	1,200	1,200	1,200	1,200	
Expenses	478	501	600	150	150	
sub-total	1,678	1,701	1,800	1,350	1,350	-25%
295 Harbormaster/MacMillan Wharf (PMD)						
Personal Services	71,106	74,875	79,313	81,458	81,458	
Expenses	29,068	33,109	33,110	37,460	37,460	
sub-total	100,174	107,984	112,423	118,918	118,918	5.8%
296 Shellfish (PMD)						
Personal Services	23,542	24,744	25,285	26,019	26,019	
Expenses	4,502	4,480	4,490	4,490	4,490	
sub-total	28,044	29,224	29,775	30,509	30,509	2.5%
299 Parking						
Personal Services	174,775	174,926	179,130	180,047	180,047	
Expenses	26,938	27,240	27,900	30,750	30,750	
sub-total	201,713	202,166	207,030	210,797	210,797	1.8%
III. Public Safety	\$1,701,794	\$1,760,486	\$1,838,643	\$1,882,511	\$1,882,511	2.4%

Division IV PUBLIC WORKS						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
192 Buildings & Grounds (DPW)						
Personal Services	\$157,642	\$167,960	\$173,778	\$181,866	\$181,866	4.7%
Expenses	116,282	126,273	133,505	144,415	144,415	8.2%
sub-total	273,924	294,233	307,283	326,281	326,281	6.2%
421 Administration (DPW)						
Personal Services	96,356	101,012	104,704	107,488	107,488	
Expenses	133,681	139,956	122,720	133,740	133,740	
sub-total	230,037	240,968	227,424	241,228	241,228	6.1%

The Advocate, Thursday, March 9, 1995						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
422 Highway (DPW)						
Personal Services	178,504	193,123	191,604	199,516	199,516	
Expenses	35,158	43,070	41,250	43,600	43,600	
sub-total	213,662	236,193	232,854	243,116	243,116	4.4%
431 Solid Waste/Recycling (DPW)						
Personal Services	156,588	157,950	153,690	165,078	165,078	
Expenses	165,312	150,493	79,830	91,860	91,860	
sub-total	321,900	308,443	233,520	256,938	256,938	10.0%
432 Recycling Committee						
Expenses	362	1,928	2,000	2,000	2,000	0.0%
439 Waste Disposal/Other (DPW)						
Expenses	97,545	116,000	140,535	139,740	139,740	-0.6%
491 Cemetery (DPW)						
Personal Services	41,723	42,713	44,397	46,845	46,845	
Expenses	7,192	4,357	8,500	8,500	8,500	
sub-total	48,915	47,070	52,897	55,345	55,345	4.6%
IV. Public Works	\$1,186,345	\$1,244,835	\$1,196,513	\$1,264,648	\$1,264,648	5.7%

Division V PUBLIC SERVICES						
Budget	Actual FY 1993	Actual FY 1994	Budget FY 1995	Selection Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
511 Health Agent (DMI)						
Personal Services	\$37,617	\$42,091	\$43,465	\$50,182	\$50,182	
Expenses	2,470	2,593	14,720	14,525	14,525	
sub-total	40,087	51,684	58,185	64,707	64,707	11.2%
512 Public Health/Nurse						
Personal Services	60,218	61,405	45,531	48,520	48,520	
Expenses	8,077	4,676	2,950	10,010	10,010	
sub-total	68,295	66,081	48,481	58,530	58,530	20.7%
513 Board of Health						
Expenses	325	613	1,050	1,050	1,050	0.0%
525 Cape End Manor						
Personal Services	1,308,189	1,381,728	1,429,297	1,508,257	1,508,257	
Expenses	371,524	393,112	398,990	431,992	431,992	
sub-total	1,679,713	1,774,840	1,828,287	1,940,249	1,940,249	6.1%
541 Council on Aging						
Personal Services	71,960	75,811	78,300	81,230	81,230	
Expenses	6,557	7,166	7,415	7,515	7,515	
sub-total	78,517	82,977	85,715	88,745	88,745	3.5%
543 Veterans Services						
Personal Services	5,200	5,470	5,470	5,470	5,470	
Expenses	25,792	29,035	23,535	23,535	23,535	
sub-total	30,992	34,505	29,005	29,005	29,005	0.0%
610 Library						
Personal Services	88,198	89,654	94,475	97,252	97,252	
Expenses	25,840	25,968	26,690	33,820	33,820	
sub-total	114,038	115,622	121,165	131,072	131,072	8.2%
620 Administration						
Expenses	9,837	9,496	9,500	9,500	7,500	0.0%
630 Recreation Department						
Personal Services	59,973	58,059	72,597	74,018	74,018	
Expenses	10,584	11,553	10,660	10,660	10,660	
sub-total	70,557	69,612	83,257	84,678	84,678	1.7%
651 Beautification Committee						
Expenses	2,199	2,196	2,200	3,900	3,900	77.3%
671 Heritage Museum						
Personal Services	13,492	14,039	14,534	15,800	15,800	
Expenses	5,090	5,554	16,300	19,945	19,945	
sub-total	18,582	19,593	30,834	35,745	35,745	15.9%
672 Art Commission						
Expenses	2,000	1,000	2,000	3,000	3,000	50.0%
V. Public Services	\$2,115,142	\$2,228,219	\$2,299,679	\$2,450,181	\$2,448,181	6.5%

Division VI PUBLIC SCHOOLS						
Budget	Actual FY 1991	Actual FY 1994	Budget FY 1995	School Comm. Recommend FY 1996	FinCom Recommend FY 1996	% Change 95-96
300 Provincetown Public Schools						
<i>Regular Day</i>						
Administration	144,837	172,636	161,134	168,691		
Instruction	1,675,794	1,792,935	1,865,893	1,869,078		
Other School Services	186,303	156,945	228,737	246,915		
Operation/Maint	356,542	384,803	408,984	417,400		
Equip Acquisition	64,010	83,337	49,966	43,966		
sub-total	2,427,486	2,590,656	2,714,714	2,746,053		
<i>Early Learning</i>	27,032	44,047	37,747	41,757		
<i>Special Education</i>						
Instruction	359,791	403,495	491,336	641,919		
Pupil Transportation	14,300	11,576	9,500	9,500		
Operation of Plant	3,297	5,168	3,800	3,800		
Equip Acquisition	15,518	12,575	4,500	7,500		
To Collaborative	101,711	111,921	111,025	116,025		
sub-total	494,617	544,735	620,161	778,738		
<i>Adult Education</i>	3,000	0	0			
Total	2,952,135	3,179,438	3,372,622	3,566,548	3,490,663	5.75%
310 Cape Cod Regional Tech High						
Expense	23,858	7,873	7,319	28,412	28,412	288%
Public Schools	\$2,975,993	\$3,187,311	\$3,379,941	\$3,594,960	\$3,519,075	6.36%

Lillian Frazier, 61

By Wendy Johnson

Flags in Wellfleet flew at half-mast Monday for long-time political and philanthropist Lillian A. (Daley) Frazier, who died in her sleep March 4 while vacationing in Marathon, Fla. She was 61.

A native of Wellfleet, Mrs. Frazier was raised and educated in her hometown and later went on to make great changes in Wellfleet's social and political climate. She was an outspoken advocate who fought hard for what she believed in, often producing great results.

One of the original drafters of the town charter, Mrs. Frazier also served on the Democratic town committee. Over the years, Mrs. Frazier served on many other town boards and committees and helped organize in the community a variety of services for the needy, leaving behind her a fruitful legacy of good will and long-lasting results.

"She was the mayor, mother and mentor of Wellfleet and was the key to the success of many young people," said Mona Souza of Wellfleet.

Mrs. Frazier was a founding member of the Lower Cape Outreach Council, which

provides a variety of services to those in need, including Toys for Tots and hand-first advocate for the Cape Cod Child Development, a blanket organization of Head Start.

She was also a founding member of the Friends of the Wellfleet Council on Aging, bringing ideas and suggestions to the selectmen for the creation of a senior center.

"Very definitely she was a very strong advocate for the seniors," said Phyllis Hill, chairman of the council on aging. "She'll be sorely missed in Wellfleet."

Mrs. Frazier also worked with others to establish the Wellfleet Holiday Observance Fund, a holiday program that provided services such as fuel assistance, food and shelter, to those in need.

She was also a writer for The Cape Codder, an Orleans-based newspaper, and the Oracle, a now defunct Wellfleet newspaper.

Ms. Frazier was among a minority of citizens who regularly stood at selectmen's meetings to voice opinions and complaints. She was a spit-fire politician who spoke her mind.

"She was somebody who would speak

up a lot at the meetings and had opinions on everything," said Loren King, a former Advocate reporter who covered Wellfleet. "She was really involved and knew what was going on. She really cared and showed a genuine interest for the town."

Peter A. Steele, Advocate editor, remembers Mrs. Frazier as an excellent source during his days as a reporter covering Wellfleet.

"She knew everybody, and she knew everything that was going on," he said. "Although she didn't like to be quoted, she provided off the record a wealth of colorful and useful information on local issues, especially what was going on behind the scenes."

"Lillian was a tenacious and vocal advocate of open government, often standing alone in public to voice her discontent," Steele said. "And she always did it with a very sharp sense of humor, although it probably was not much fun to be on the receiving end of her sarcasm."

"She had a long and distinguished career," said Selectman Carolina Kiggins, chairman. "She was certainly candid in her approach and expressed her opinions."

"The first time I met her was in 1980," said Joel Fox, a close friend. "I had applied for a shellfish grant but was not awarded it. Lillian was at the meeting that night, and she spoke up and sided with me. The two of us have been friends ever since. I am going to miss her terrifically."

For several years, Ms. Frazier served on the board of registrars and worked in Town Hall as the assistant to Town Clerk Dawn Rickman.

"If she had something to say, she'd say it," said Rickman. "But she was a very likable, intelligent woman who was well loved."

Although Rickman, a Republican, and Frazier, a Democrat, "didn't always see eye to eye," Rickman said Frazier was respectful of her opinions.

"Whenever you deal with politics in a small town, you have differences," Rickman said. "But despite them, we got along well, and she was a good worker."

"She was very concerned with the town and the proper running of government," said former selectman Virginia Crossman. "When things weren't going right, she wasn't afraid to speak up."

Euro seeks special permit

Continued from page 3

hood, more sleepless nights, a devaluation of real estate and a loss of income to his guest house, he said.

Tine said the back room is not air-conditioned, but he does keep the doors closed. Musicians sometimes open the door to cool off when he is working in the kitchen, he said.

As to complaints about early morning noise when trash is put outside, Tine said his clean-up crew comes in at 3 a.m. to get the place ready so he can serve breakfast every morning.

Steele and Avellar said they regretted having to write their letter of opposition since they have patronized the Euro for years and are friendly with the owners. "But their next-door location has been an incredible burden to us and our neighbors because of extremely loud late-night noise — in direct violation of the anti-noise by-law," they said.

They said the "booming noise" of Euro's entertainers "carries through one end of our apartment to the other" and that they are "awakened daily by the sound of bottles being broken and trash being picked up."

When the Euro's door adjacent to where the entertainers perform is open, "which is always the case during very hot weather, the entertainers might as well be performing right in our living room," Steele and Avellar wrote. "Keeping the doors closed lessens the problem somewhat, but an unbearable amount of noise

"There's not one person on the Lower Cape who didn't know my mother and what she stood for," said her son, Matthew Frazier. "She was very outspoken in politics."

"Throughout our younger years, she was also very boisterous with the school committee," he said. "If there was something she didn't agree with, she'd let you know."

A devoted mother who strongly supported all seven of her children, Ms. Frazier was heartbroken in 1982 when one of her five sons, Mark Frazier, was killed during a robbery while working at a savings and loan in Texas.

"My mother was always very supportive of her kids," Matthew said. "When I started my own business, she was right there."

"I moved to the Cape in 1957 and met her that summer on the beach," said Adele Anderson of the council on aging. "She was a great lady, very warm and friendly, and she'd do anything for anybody. My son lived in a trailer in her backyard when he first moved out here."

"She has always given herself to friends or anyone in need," said Crossman. "And she always had a good sense of humor. When you were down in the dumps, she'd get you up."

"She loved to joke," said Anderson. "You always had a good time with Lil. She's going to be missed."

Mrs. Frazier, who had a long history of heart problems and died peacefully, is the daughter of the late John J. and Sarah H. Daley and was the sister of the late Paul Dever Daley, former DPW director.

She is survived by her second husband, Clarence E. Frazier, whom she married in 1953; two daughters, Cherlie Berrio of East Boston and Carole Dupuis of Wellfleet; four sons, Michael P. Frazier, Martin J. Frazier, Charles E. Frazier and Matthew A. Frazier, all of Wellfleet; five grandchildren; and several nieces and nephews.

A Mass of Christian Burial will be celebrated today at 10 a.m. in Our Lady of Lourdes Church. Burial will be in Our Lady of Lourdes Cemetery.

Donations may be made in Mrs. Frazier's memory to the Friends of the Wellfleet Council on Aging, P.O. Box 306, Wellfleet, MA 02667.

Committee is appointed to implement Truro plan

Now that the Truro Local Comprehensive Plan has been certified by the Cape Cod Commission, the next step is to insure the nearly one-inch thick document is implemented.

Following up on one of the plan's final recommendations, the selectmen appointed a five-member ad hoc committee to oversee implementation in the first year.

Betsey Brown, chairman of the local planning committee, requested to serve on the committee and was favorably mentioned by three selectmen. But she was not appointed to the committee.

"I'm disappointed, but that's the way things go," Brown said.

The appointees are: Vincent Rennert of the Pamet Harbor Commission and planning board; Keith Rosenkampff of the library trustees; Keith Althaus of the board of appeals; Barry Wartenberg of the building and local planning committee; and Robert O'Neil of the housing authority.

Other names considered were Ken Brock of the planning board, Howard Irwin of the conservation commission, Eleanor Portini of the Pamet Harbor Commission, and Robert Holt of the recycling committee.

Brown was not chosen, the selectmen

said, because she "already serves on both the planning board and the housing authority." The selectmen said they want a more diverse representation of local boards and committees.

"I'm particularly chagrined they did not appoint Betsey," said Ken Brock of the planning board and chairman of the Cape Cod Commission. "No one on the committee knows the plan in detail like she does, and that's unfortunate. She's the only one in town who knows the plan. The other members will do fine once they become familiar with it, but only Betsey has a deep personal commitment to the execution of it."

"Betsey shows what can get done without stepping on anyone's toes," said Joan Holt. "She's the kind of leader this town needs. Truro is lucky to have her."

As an ad hoc committee, the group will only serve for one year. The option re-appointment to a second year is left up to the selectmen.

"There's merit in saying everything is not going to be accomplished in one or two years," said Selectman Robert Martin.

"But I can't see having the same people serve as watch dogs year after year. I would be inclined to say that we do it for one year as an ad hoc committee."

Grand Central Cafe

Continued from page 3

then for two years is asking you to close your eyes to the loss of non-conforming use," Turtz said.

If a variance is required, Snow said, he will argue no other use for the property is possible other than a restaurant/bar. To deny this use would condemn the building and the tax base to zero, he said, adding no one would want to live in this property.

But Turtz disagreed. Before dePolo opened the restaurant, it was the home where lawyer Edward Veara grew up, and it could still be used as a residence or as an art gallery, he said.

The ZBA would have to agree there is a hardship inherent with the soil or the shape of the lot to grant a variance, she said.

If a variance is granted, the zoning board would have to variance the requirement of 46 parking spaces. "That's an awfully big variance," she said. "You would have to grant a major parking variance. I do believe the use of this property has clearly been abandoned."

The only way that a restaurant/bar can be re-established here is by a use variance."

Charles Rogers, who served as chairman for the hearing, read into the record two letters of opposition from Vorelli, who said she had hoped to purchase the property to use it for a Title V system. If the board allows the Grand Central Cafe to reopen under Cabral, the neighborhood will be subjected to increased congestion, yelling and fights, she said.

Snow argued the use of the property as a restaurant/bar was not abandoned since it was never converted to another use. There is no evidence that any other use for the property was considered, he said. It remains as it was when Cabral purchased it, Snow said.

Rogers continued the hearing to 6 p.m. tonight to receive more information requested by the board, including the date when Cabral's septic system at the A House was installed and any legal pre-interpretation of abandonment that Snow presented the board.

'I fear that we will learn very shortly that racism is a sickness unto death. . . . In spite of years of national progress, the plight of the poor is worsening.'

What King really said

Last in a series

DERRICK Z. JACKSON

This series of columns on affirmative action began by noting how its critics have stolen the words of Martin Luther King Jr. They claim now to dream, as King did in 1963, of a country where people are judged not "by the color of their skin but by the content of their character."

The series has attempted to show how the critics have inflamed the nation with mythical, ignorant and deceitful nightmares of unqualified African-Americans on the job. The content of the character of the new white civil rights movement is that it still sees color before merit and promise.

Since the movement has attempted to kidnap King, this series will end with words King wrote in 1968, just before his assassination. Foes of affirmative action do not quote this King. This King called for massive protests "to benefit the poor of both races." This King saw that his call for a colorblind society was unanswered.

"I agree with the President's National Advisory Commission on Civil Disorders that our nation is splitting into two hostile societies and that the chief destructive edge is *white racism* [my emphasis].

"... We have learned from bitter experience that our government does not correct a race problem until it is confronted directly and dramatically. . . . We call our demonstration a campaign for jobs and income because we feel that the economic question is the most crucial that black people, and poor people generally, are confronting.

"... When you have mass unemployment in the Negro community, it's called a social problem; when you have mass unemployment in the white community, it's called a depression. The fact is, there is a major depression in the Negro community. The unemployment rate is extremely high, and among Negro youth, it goes as high as 40 percent in some cities. [It was still 40 percent in 1992, compared with 17 percent for white youth aged 16-19.]

"We need an Economic Bill of Rights. This would guarantee a job to all people who want to work and are able to work. . . . Our whole campaign, therefore, will center on the job question, with other demands, like housing, that are closely tied to it. We feel that much more building of housing for the low-income people should be done. On the educational front, the ghetto schools are in bad shape in terms of quality. . . . They need more and special attention, the best quality education that can be given.

"These problems, of course, are overshadowed by the Vietnam War. We'll focus on the domestic problems, but it's inevitable that we've got to bring out the question of the tragic mixup in priorities. We are spending all of this money for death and destruction, and not nearly



DOROTHY AHLE ILLUSTRATION

enough money for life and constructive development.

"... There are a lot of 'White Power' advocates, and I find that people do tend to despair and engage in debates when nothing is going on. . . . We will place the problems of the poor at the seat of government of the wealthiest nation in the history of mankind. If that power refuses to acknowledge its debt to the poor, it will have failed to live up to its promise to insure 'life, liberty and the pursuit of happiness' to its citizens.

"If this society fails, I fear that we will learn very shortly that racism is a sickness unto death. . . . In spite of years of national progress, the plight of the poor is worsening. Jobs are on the decline as a result of technological change, schools North and South are proving themselves more and more inadequate to the task of providing adequate education and thereby entrance into the mainstream of the society. Medical care is virtually out of the reach of millions of black and white poor.

"White America has allowed itself to be indifferent to race prejudice and economic denial. It has treated them as superficial blemishes but now awakes to the horrifying reality of a potentially fatal disease. . . . The American people are infected with racism - that is the peril. Paradoxically, they are also infected with democratic ideals - that is the hope. While doing wrong, they have the potential to do right.

"But they do not have a millennium to make changes. Nor have they a choice of continuing in the old way. The future they are asked to inaugurate is not so unpalatable that it justifies the evils that beset the nation. To end poverty, to extirpate prejudice, to free a tormented conscience, to make a tomorrow of justice, fair play and creativity - all these are worthy of the American ideal."

Derrick Z. Jackson is a Globe columnist.

Second Thoughts On Cloning

By Laurence H. Tribe

SOME years ago, long before human cloning became a near-term prospect, I was among those who urged that human cloning be assessed not simply in terms of concrete costs and benefits, but in terms of what the technology might do to the very meaning of human reproduction, child rearing and individuality. I leaned toward prohibition as the safest course.

Today, with the prospect of a renewed push for sweeping prohibition rather than mere regulation, I am inclined to say, "Not so fast."

When scientists announced in February that they had created a clone of an adult sheep — a genetically identical copy named Dolly, created in the laboratory from a single cell of the "parent" — ethicists, theologians and others passionately debated the pros and cons of trying to clone a human being.

People spoke of the plight of infertile couples; the grief of someone who has lost a child whose biological "rebirth" might offer solace; the prospect of using cloning to generate donors for tissues and organs; the possibility of creating genetically enhanced clones with a particular talent or a resistance to some dread disease.

But others saw a nightmarish and decidedly unnatural perversion of human reproduction. California enacted a ban on human cloning, and the President's National Bioethics Advisory Commission recommended making the ban nationwide.

That initial debate has cooled, however, and many in the scientific field now seem to be wondering what all the fuss was about.

They are asking whether human cloning isn't just an incremental step beyond what we are already doing with artificial insemination, in vitro fertilization, fertility enhance-

YOU = ME

Scott Stowell

ing drugs and genetic manipulation. That casual attitude is sure to give way before long to yet another wave of prohibitionist outrage — a wave that I no longer feel comfortable riding.

I certainly don't subscribe to the view that whatever technology permits us to do we ought to do. Nor do I subscribe to the view that the Constitution necessarily guarantees every individual the right to reproduce through whatever means become technically possible.

Rather, my concern is that the very decision to use the law to condemn, and then outlaw, patterns of human reproduction — especially by invoking vague notions of what is "natural" — is at least as dangerous as the technologies such a decision might be used to control.

Human cloning has been condemned by some of its most articulate detractors as the ultimate embodiment of the sexual revolution, severing sex from the creation of babies and treating gender and sexuality as socially constructed.

But to ban cloning as the technological apotheosis of what some see as culturally distressing trends may, in the end, lend credence to strikingly similar objections to surrogate motherhood or gay marriage and gay adoption.

Equally scary, when appeals to the natural, or to the divinely ordained, lead to the criminalization of some method for creating human babies, we must come to terms with the

inevitable: the prohibition will not be airtight.

Just as was true of bans on abortion and on sex outside marriage, bans on human cloning are bound to be hard to enforce. And that, in turn, requires us to think in terms of a class of potential outcasts — people whose very existence society will have chosen to label as a misfortune and, in essence, to condemn.

One need only think of the long

If we ban a form of reproduction, do we create a class of outcasts?

struggle to overcome the stigma of "illegitimacy" for the children of unmarried parents. How much worse might be the plight of being judged morally incomplete by virtue of one's man-made origin?

There are some black markets (in narcotic drugs, for instance) that may be worth risking when the evils of legalization would be even worse. But when the contraband we are talking of creating takes the form of human beings, the stakes become enormous.

There are few evils as grave as

that of creating a caste system, one in which an entire category of persons, while perhaps not labeled untouchable, is marginalized as not fully human.

And even if one could enforce a ban on cloning, or at least insure that clones would not be a marginalized caste, the social costs of prohibition could still be high. For the arguments supporting an ironclad prohibition of cloning are most likely to rest on, and reinforce, the notion that it is unnatural and intrinsically wrong to sever the conventional links between heterosexual unions sanctified by tradition and the creation and upbringing of new life.

The entrenchment of that notion cannot be a welcome thing for lesbians, gay men and perhaps others with unconventional ways of linking erotic attachment, romantic commitment, genetic replication, gestational mothering and the joys and responsibilities of child rearing.

And, from the perspective of the wider community, straight no less than gay, a society that bans acts of human creation for no better reason than that their particular form defies nature and tradition is a society that risks cutting itself off from vital experimentation, thus losing a significant part of its capacity to grow. If human cloning is to be banned, then, the reasons had better be far more compelling than any thus far advanced.

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Laurence H. Tribe is a professor of constitutional law at Harvard Law School.

Cape Cod Times

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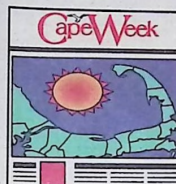
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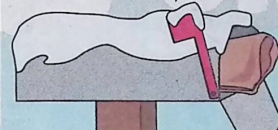
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IN CAPEWEEK

Freeskaters
are skimming
Cape ponds

EARLY SNOW, SLEET /A-12



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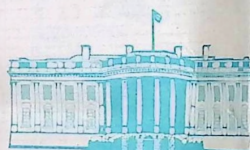
Dole tightens grip on nomination with N.Y. win

By JOHN KING
THE ASSOCIATED PRESS

NEW YORK — Bob Dole coasted to a landslide victory yesterday in the New York primary, opening up a gaping lead in the Republican presidential race. Steve Forbes and Pat Buchanan trailed badly but vowed to fight on.

"When it comes to picking the Republican nominee, it's over — it's Bob Dole," said Gov. George Pataki, a Dole partisan.

Dole cast his big win as an "overwhelming statement of Republican



Race for the WHITE HOUSE

unity" and said it was time for Republicans to put the nomination fight aside "to defeat Bill Clinton and return conservative leadership

to the presidency."

In an interview with The Associated Press, Dole said it wasn't for him to tell Forbes and Buchanan to quit the race, but suggested they take a long look at the lopsided New York results.

Vote returns indicated Dole was winning by wide margins in every region of the state.

New Yorkers braved snow or chilly rain to vote, and many had a humdrum attitude about a race that was without a front-runner less than a week ago. "You pick because you have to, but it's not

much of a choice," said Maria Avellino, a 22-year-old mother of three in Brooklyn who voted for Dole.

Dole took a daunting delegate lead over Forbes and Buchanan: He won at least 86 of the 93 delegates on the New York ballots, bringing his national total to 376. Forbes had 72. Buchanan was third at 62, with 996 needed to nominate.

"If the others want to stay in, they ought to focus on Bill Clinton and

Please see **DOLE** /A-9

MORE INSIDE

■ **ANALYSIS:** In maneuvering his way to the brink of the Republican presidential nomination, Bob Dole has taken a page out of Bill Clinton's playbook. /A-8

■ **TAX FLAT:** GOP officials say Steve Forbes' candidacy has killed any chance of a flat tax being adopted in the near future. /A-9

Search for pair focuses on Fla.

■ Friends, relatives of both say alcohol problems may have led them on a binge.

By JACK PERRY
and JULIA ST. GEORGE
STAFF WRITERS

HYANNIS — Kevin Callahan abuses drugs and alcohol, but he would not hurt the 69-year-old Centerville woman who disappeared with him more than a week ago, friends of Callahan say.

Callahan, a 31-year-old waiter and hairdressing student, has probably driven to Florida with Madeline Bohne, a Centerville wid-



Sports outlook: spring ahead

■ A private donor is on deck to cover \$10,000 of the Barnstable shortfall — with conditions.

ow, friends say.
Callahan, a Hyannis resident who spent several winters working as a waiter in Florida, is familiar with the state and probably still has friends there.

The Barnstable police have asked Florida police to check several addresses of Callahan's friends and acquaintances, Barnstable police Detective John Murphy Jr. said.

Mrs. Bohné's daughter says her mother also has a drinking problem, and a friend believes the pair may be on a binge.

Callahan and Mrs. Bohné have not been seen since shortly after 9 a.m. Feb. 28 when Callahan cashed a \$5,000 check at Fleet Bank in Hyannis written from Mrs. Bohné's account. Mrs. Bohné was in the car when Callahan cashed the check at a drive-through window, according to Mrs. Bohné's daughter, Carol.

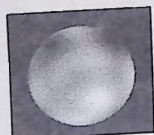
Callahan can be manipulative or opportunistic, but he's not violent, according to friends.

Please see **MISSING** /A-12

Hubble photos put Pluto in focus

By EARL LANE
NEWSDAY

WASHINGTON — Tiny Pluto, only a fuzzy dot of light to earthbound telescopes, has been revealed by the Hubble Space Telescope to be ... a fuzzy dot with attitude.



PLUTO

Pluto, it turns out, is surprisingly diverse — with a ragged northern polar cap, a series of bright regions along its equator and hints of basins and impact craters.

To the untrained eye, the first-ever photos of Pluto's surface still show little more than some fuzzy white and dark blotches. But enthusiasts

Please see **PLUTO** /A-8



A taste of show biz

Pupils at the Barnstable-West Barnstable Elementary school stage a dress rehearsal for their school's variety show.

Above, boys work on their "Blues Brothers" routine. At left, Julie MacDonald and Morgan Gage get ready to go on stage to practice their segment. The show, a fund-raiser for the school, is at 7 tonight and at 1 p.m. tomorrow.

Staff Photos by STEVE HEASLIP

China tests missiles off Taiwan Beijing tries to discourage independence movement

By EDWARD A. GARGAN
THE NEW YORK TIMES

TAIPEI, Taiwan — China began a series of ballistic missile tests just off the coast of Taiwan this morning designed to discourage aspirations for independence on the island and to intimidate its 21 million people in the two weeks before its first presidential election.

Early this morning, Taiwan's Defense Ministry announced that China had launched two missiles into the seas near Taiwan. The missiles reportedly landed inside the previously announced target areas, offshore from major ports in the northern and southern ends of the island. Later, officials in Washington said three missiles had been launched.

In recent weeks China has been increasingly combative toward Taiwan, denouncing what it said were relentless efforts by Taiwan's political leadership to move the island toward independence. China regards Taiwan as a renegade province and has said repeatedly that it would take military action to prevent the island from asserting independence.

"These exercises are not being carried out against the ordinary people of Taiwan," Shen Guofang, the Chinese Foreign Ministry spokesman, said at a news conference in Beijing yesterday, but are intended to "suppress the acts of those pro-independence forces that are trying to create two Chinas, or one China and one Taiwan."

The missile tests, clearly intended to

shock the people of Taiwan, were the most aggressive Chinese actions toward Taiwan since the 1950s, when Beijing shelled some offshore islands under Taiwan's control.

In Washington, the State Department called the tests "unnecessarily provocative" and "reckless."

This morning's tests are the third time China has fired test missiles into the waters around Taiwan, a tactic it adopted after a visit by President Lee Teng-hui of Taiwan to the United States last June. But the tests this morning were far closer to Taiwan than previous ones, in target areas just 22 miles from the northern fishing port of Keelung and 32 miles from Kaohsiung, one of Asia's busiest container port terminals.

STAFF WRITER

BARNSTABLE — Things are looking good again for spring sports in the Barnstable schools, thanks to efforts by the Barnstable Babe Ruth League and dozens of other fund-raising volunteers.

League officials say they have a private donor who will give up to \$10,000 to cover a shortfall if the deficit-plagued Barnstable schools reinstate all spring sports, including varsity, junior varsity, freshmen and middle school activities.

The league's donation depends on the town's willingness to guarantee its contribution in writing and allow financial oversight by the Barnstable Friends of School Sports, a committee formed by league directors.

"I think we'll come very, very close and we'll probably have a go," interim Schools Supt. Edward Tynan told the town council last night. "And a lot of the credit's going to go to this Babe Ruth effort."

School officials will also be contacting other people who offered to help, Tynan said, like the district attorney's office which had talked of hosting a golf tourna-

Please see **SPORTS** /A-12

Council votes to ask state to audit books

BARNSTABLE — The Barnstable Town Council decided last night to ask state auditing experts, not the district attorney, to figure out how the town's schools ended up in a \$2 million hole.

The council also voted to broaden the proposal, asking the state to examine the propriety and efficiency of financial proceedings in the rest of the town offices as well.

"While I feel it's important to find out what happened in the schools," said Councilor Joseph R. Pino, "I think we have to find out why the problem did not flag a warning for the rest of us. Without an analysis of our financial accounting townwide, this could happen again to another department."

Please see **AUDIT** /A-12

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Sun: Diana seeks \$45M settlement

■ British tabloids give conflicting reports on nature of royal divorce negotiations.

THE ASSOCIATED PRESS

LONDON — Princess Diana wants Buckingham Palace to pay her more than \$45 million — twice the settlement she was offered — to divorce Prince Charles, a tabloid reported yesterday.

The Sun said the palace wanted Diana to take a one-time, clean-break payment of 15 million pounds, or \$22.8 million, and that the princess rejected the offer, telling unidentified friends: "The price of a deal with me is a lot higher."

The paper reported she had demanded 30 million pounds, or \$45.6 million. There was no independent confirmation of the report, and the tabloids have a mixed record on accuracy regarding Diana's marital problems.

In a separate development, police last night arrested a German man who has been trailing Princess Diana at public engagements declaring she should be queen and Queen Elizabeth II is the devil.

German orthopedic surgeon Klaus Wagner, 37, was arrested outside Harrods department store 10 minutes before Diana arrived for a fund-raising reception.

Wagner was taken by police after he unfurled a banner bearing a picture of Diana with the words "This is our queen" and a picture of her mother-in-law, the queen, with the words "Elizabeth we are 666 of you." In demonology,

666 indicates the great beast, or devil.

It was unclear if Wagner was charged with any crime.

He has been arrested twice before in the last year for alleged harassment of the royals — once outside Buckingham Palace, the other time outside the Harbor Club, where Diana exercises.

The Sun's account of the divorce settlement contradicted other tabloid reports that the palace wanted Diana to accept an annual payment rather than a lump sum, because that would give the royal family some leverage if she violated any divorce agreements about private disclosures or moving abroad with her sons.

The 34-year-old princess, formally separated from Charles since December 1992, agreed Feb. 28 to a divorce. Queen Elizabeth II has made it clear she wants divorce settlement negotiations to be conducted confidentially.

The Sun quoted an unidentified "aide" of Diana's as saying: "The figure of 15 million pounds has been thrown about but not by the princess. She feels it would not meet her needs for the rest of her life. She is thinking very much in the long term."

Diana's press office had no comment on the Sun story.

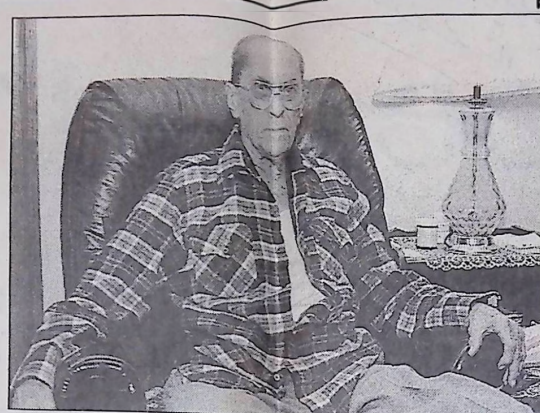
Meanwhile, Buckingham Palace confirmed the Sun report that the Duchess of York, the estranged wife of Prince Andrew, has lost her free mail privileges because she abused them. The government-run postal service gives royals the perk to help them with official duties.

The former Sarah Ferguson separated from Andrew in 1992, a few months before Charles and Diana formally parted.

The Sun reported earlier that the big-spending duchess, who is heavily in debt, had used the free mail to send thousands of cards all over the world, including personal thank-you notes from herself and her daughters, Princess Beatrice, 7, and Princess Eugenie, 5.



DIANA



ASSOCIATED PRESS

■ Vernon Laughon sits in his living room after being stuck in a car trunk for three days and two nights.

84-year-old man locked in trunk by housekeeper

THE ASSOCIATED PRESS

ROANOKE, Va. — Eighty-four-year-old Vernon Laughon lay curled in the trunk of his car without food or water for two days in November, seeing light only once during his captivity — when his housekeeper lifted the lid to ask him if her forgery of his check looked authentic.

"I said, 'Yeah, sure, and when you gonna ...' and she slammed the door shut tight and went on driving," he recalled yesterday.

Laughon yelled for help until he was hoarse and pleaded with Mitzi Jean Horton to let him out as she drove around town pawning his VCR, ring and watch and spending the \$140 she stole from his apartment along with his checkbook.

Finally, after a urine-soaked Laughon had lost hope, police opened the trunk and freed the old man. A woman who had caught a ride with Ms. Horton and had heard thumps and shouts from the trunk had tipped off police.

On Wednesday, Ms. Horton pleaded guilty to robbery and abduction and could get life plus 20 years in prison.

Laughon, a widower, said he hopes the 31-year-old house-

keeper was sentenced in May. "She didn't kill me," he explained in an interview.

Laughon said he still doesn't understand why the housekeeper befriended "turned on me like that."

He and Ms. Horton had gone out to buy liquor on Nov. 16 when she snatched a \$20 bill from his hand, stopped the car and put him in a chokehold that caused him to pass out.

"She's a mighty big woman, mind you — 5-foot-11 and about 180 pounds," Laughon said. When he came to, the skinny, frail man was inside the trunk along with a tool box, wax cans and a few oily rags, "curled up like a chipmunk in a hole."

He pounded on the trunk, telling Ms. Horton: "Mitzi, you're going to get in serious trouble if you don't let me out of here."

"I'd say, 'Mitzi, when are you going to let me out of here?' 'In 15 minutes,' she'd say. 'In 15 minutes,'" he recalled.

When police finally approached Ms. Horton, she claimed that she was warming the car up for Laughon but that she had no idea where he was.

"My legs were so stiff I couldn't walk," the retired rail car mechanic said. He spent weeks recuperating

S.C. trooper fired after car-stop abuse

THE ASSOCIATED PRESS

COLUMBIA, S.C. — A state trooper was fired after a video camera in his patrol car captured him shoving, cursing and threatening to cut the clothes off a woman he had stopped for speeding.

The tape of Lance Cpl. W.H. Beckwith's speeding stop was released yesterday and broadcast on

South Carolina television stations. Beckwith, an 11-year patrol veteran, was fired after an investigation into the Jan. 8 arrest.

Beckwith was driving an unmarked patrol car along Interstate 95 in Clarendon County when he saw the woman doing 80 mph in a 65 mph zone. He was not wearing his trooper's hat as required.

THE LOG

Island nightclub manager faces drug charges

OAK BLUFFS — Although closed for winter renovations, there was heat at the Hot Tin Roof Wednesday morning.

Federal, state and local police converged on the popular Martha's Vineyard nightclub and arrested Walter "Bucko" Della Russo, 49, of Edgartown, charging him with conspiracy to import more than 2,000 pounds of marijuana in 1990 and conspiracy to sell it.

Della Russo was taken into federal custody at about 11 a.m. and was taken to U.S. District Court in Boston. He was later released on \$25,000 bond.

The arrest stemmed from an ongoing investigation being conduct-

ed by the Drug Enforcement Administration and Martha's Vineyard Drug Task Force, Assistant U.S. Attorney Michael Pelgro said.

Della Russo manages the Hot Tin Roof, a club partially owned by singer Carly Simon at the Dukes County Airport.

An airport employee said yesterday he has never seen or heard of any drug activity being conducted at the club.

"He's been a restaurateur here for a long time. He's regular guy," the employee said.

Della Russo also owned and operated the former Andrea's Restaurant.

Cape Cod Times

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Latest storm shatters Cape snowfall record

CAPE COD TIMES

Chatham's record of 76 inches

We must stop coddling China

I DON'T KNOW if, in this election year, the Democrats or Republicans want to be apologists for (the Chinese government)," Rep. Nancy Pelosi, D-Calif., mused recently. Sadly, events indicate that few in either party have Pelosi's backbone when it comes to China.

Item: The CIA has concluded that China sold 5,000 ring magnets vital to producing nuclear warheads to Pakistan. That's a violation of the Nonproliferation Act of 1994, signed by China and the United States. The treaty requires Clinton to suspend Export-Import Bank financing for trade with countries that sell nuclear weapons technology. The White House did ask the bank to defer new financing for at least a month. But The New York Times reports that a U.S. official confided that Clintonia's aim is simply to get China to promise not to sin again. That said, Clintonia would resume the constant flow of the money spigot.

A New York Times source boasted that the action "sends a message to China, puts a little pressure on them to come to terms." Sadly, the official was correct, but the message is: China can break a treaty and still get U.S. bucks. The words "little pressure" are too true.

Item: Last year, China signed an agreement to fight rampant counterfeiting of American compact discs, videos and computer software. Afterward, China closed some counterfeiting factories, but,



Debra J. Saunders

China can break a treaty and still get U.S. bucks.

The Washington Post reported, all were reopened within months. The Clinton administration has failed to impose retaliatory tariffs or other sanctions.

Item: At the Atlanta GOP debate, candidates Steve Forbes and Lamar Alexander attacked Pat Buchanan's call for tariffs against China.

But Buchanan is right on this one: The United States-China trade policy is, as he says, "a wimp." Defenders of the status quo may tout the jobs that exist due to Chinese exports, but they do so by ignoring jobs lost due not to competitive advantage but to Chinese fraud. Clintonia's policy favors some corporations at the expense of others — and at the expense of this country's reputation as a round-heels when it comes to trade violations.

Pelosi, a valiant watchdog on China, noted that George Bush got

conned twice into making bad deals concerning intellectual property — videos, compact discs and software — with China. "They've sold the same horse again to Clinton," she lamented, "the same old nag."

Candidate Clinton criticized Bush for "coddling" China. Incumbent Clinton swiftly out-Bushed Bush. He chose to retain China's most-favored-nation status by arguing that it would improve human rights. Then, in 1994, Clinton made another shameful about-face when he severed links between human rights and MFN. He said, "We are far more likely to have human-rights advances when it is not under the cloud of the annual question of review of MFN."

I leave the moral issue of human rights for last because that is the position to which human rights have been abrogated of late — last. Jail-ing of democrats and starving children are as unimportant to politicians of both parties as this country's earned reputation as a treaty pushover. Voters aren't making China an issue either.

Starting (today), China will launch missiles off the coast of Taiwan near two of its biggest ports. This is no biggie according to Clintonia. Yesterday, Defense Secretary William Perry told a Senate committee, "I don't think it will be a significant issue for shipping."

That's telling 'em, Clintonia.

Debra Saunders is a San Francisco Chronicle columnist.

■ ON SOCIETY

BY JOHN LEO

Our addiction to bad news

The author Peter Drucker says no other group in world history has ever made so much economic progress so fast as American blacks have since World War II. Three fifths of African-Americans have risen into middle-class incomes, he writes in the *Atlantic Monthly*. Before the Second World War the figure was one twentieth.

Nobody would call this picture totally rosy, of course. College-educated black men still make only 72 percent of what their white counterparts earn. And we can certainly quibble about what a middle-class income really is. But a lot of the news is upbeat. The black dropout rate from high school has come way down and is now 5 percent, vs. 4 percent for whites. There are almost seven times as many black college students today—1,410,000—as there were in 1960. Among college-educated, full-time workers, 28 percent of blacks have executive, administrative or managerial jobs, vs. 30 percent for non-Hispanic whites—a dramatic improvement. Doors are opening every day. America is changing.

Now here is the well-known sociologist Seymour Martin Lipset, commenting in the magazine *New Democrat* on all this: "Awareness of such gains is not widespread, however. This is partly because the leadership of blacks, women and Hispanics generally does not admit to significant progress."

Ah, yes. Here is a problem nobody talks about—the mandatory doom and gloom of race-and-gender spokespeople. Never is heard an encouraging word. No matter how much progress is being made, it is always brushed aside, and fresh evidence of oppression is detected. Refusing to acknowledge any good news keeps the pressure on for more concessions. It keeps constituencies resentful and loyal, and it keeps the lines of the new balkanized America nice and sharp.

We pay a high price for this strategic negativism. Progress is made to seem hopeless. Blacks come to think whites will never let them in, even as the doors swing open. With so much money spent, whites come to think that blacks must be at fault for an impasse that doesn't really exist.

Don't breathe a word of this. The same problem distorts the immigration debate. Some natives seem to regard Hispanics as an unassimilable horde. But the statistics tell a different story—Hispanic immigrants are succeeding, assimilating and intermarrying with native stock at about the same rates as the white ethnic immigrants of a century ago. The wages of second-generation Mexican-Americans are nearly identical to those of similarly educated non-Hispanic whites—quite an accomplishment. My own Irish and Italian immigrant ancestors took much longer to

reach parity, under far better economic conditions. But don't breathe a word of this. It's good news.

The recent report by the Glass Ceiling Commission is a wonderful example of desperately rooting around for bad news. To bolster female support for affirmative action, the commission was determined to highlight some allegedly impenetrable barrier placed before white women. (It is, after all, by its very title, in the business of finding invisible, unbreakable obstacles. Thanks a lot, Bob Dole.)

The trouble is that women are rapidly running out of barriers. In a single generation, women have gone from low-level, sex-typed jobs to a point where they account for roughly 40 percent of medical and law students, executives, administrators, managers and Ph.D. candidates.

Women now make up 44 percent of economists and 59 percent of public officials. It's a spectacular and ongoing transformation, accomplished with amazing speed.

Scanning this sunshine-soaked weather map for a bit of drizzle was hard work indeed, but the invisible-barrier commission finally spotted some: Women account for only 3 to 5 percent of senior managers—vice presidents or higher—in *Fortune* 1,000 companies.

Well, sure, it's an issue. The most elite jobs at the most elite companies are always the last to open up to new workers. It's partly a pipeline problem, too. Many women just haven't been with their companies long enough to challenge for top jobs. Even the 3 to 5 percent represents real progress—a tripling of the number of women holding those jobs in the 1980s. And women are already doing much better as entrepreneurs outside the *Fortune* 1,000. A recent *New York Times* article featured a fairly long list of women who run billion-dollar companies or billion-dollar divisions of companies. Does anybody think this progress will slow or stop?

When Sylvia Nasar, the talented economics reporter for the *New York Times*, did her roundup of what working women accomplished during the 1980s (when the war against women was allegedly being waged), she contrasted the professional downbeat comments of the feminist establishment ("All we got was a few little crumbs," said Pat Reuss of the NOW Legal Defense and Education Fund) with the stunning gains women were actually ringing up.

There's a serious disconnect between the official race-and-gender rhetoric and the progress that's being made. Next year, with a presidential election and affirmative action on the ballot in California, the glass-ceiling people will go into overdrive and find even more undiscovered horror in the workplace. Count on it.



MAYBE it's possible to pick up a newspaper or magazine without seeing another gee-whiz account of the information highway, but it sure hasn't happened to me lately. If it isn't an account of our children being threatened by cyberporn, it's yet another story of how it is now possible to log on to a worldwide network of medieval heraldry enthusiasts using your car phone and a satellite dish the size of a pinkie ring.

Well, maybe. But every time I start to believe all the hype, I think about what happens when I get on line — not on line with the computer, but on line at an automatic teller machine. What happens makes me just a bit skeptical about how swiftly this information revolution is going to take place.

Think about the ATM for a minute. We are not exactly talking about the cutting edge of high-tech wonders here. In fact, we are talking about a machine designed for the technologically challenged. All you have to do is touch the box

The future? It'll be a little late

COMMENTARY

**JEFF
GREENFIELD**



on the screen that asks you what you want to do, and it will be done.

If you want to get cash, you touch the box that says "Get Cash." If you want to check your balance, you touch the box that says "Check Balance." As Seinfeld might put it, "What's the big deal here?"

Well, to judge from the people who are invariably in front of me on the line, it is a very big deal indeed.

They stand there for a long moment, looking with a mix of apprehension and loathing at the screen in front of them. They reach out a tentative finger; they shudder at the clicking and whirring that goes on; they wait in terror as the machine spits out a yellow

piece of paper; they stare at it, crumple it up and put their bank card in the slot again. Sometimes they repeat the cycle three, four, five times before giving up in disgust and walking away.

And here's where my skepticism kicks in. If so many find it so difficult to operate a machine that should not test the skill of a reasonably bright 9-year-old, just how likely is it that millions upon millions of Americans will be able to master the technology of interactivity?

Just think about it: Right now, all across the country, there are 50 million VCRs blinking "12:00 ... 12:00 ... 12:00 ..." because millions of us do not know how to set the clock.

Ask yourself how likely it is that the techno-wizards will be able to develop a device that is (a) cheap; (b) powerful; (c) so easy to operate that even those of us terrified by the automatic teller machine will be will-

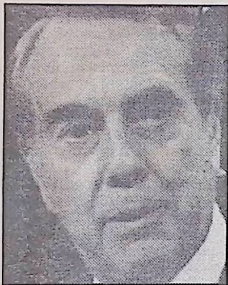
ing and eager to use it in their homes.

Let me personalize this: I am proficient enough to write and even to communicate by computer. But when I come home at night, I do not want to think about what I must do to make my TV set work. I want to push a button or two, and sit back. The folks who designed this new technology may think they are meeting the goal of easy-to-operate technology, but from what I've seen, there is a huge gap between what the designers of this stuff think is easy, and what I think is easy.

I have no doubt that somewhere down the road this brave new world will come into being. But before we all assume that this age is just around the corner and will utterly transform our lives, we should all stroll over to our nearest neighborhood bank around lunchtime. It might make us think seriously about a much more modest view of the future.

Kudlow later confirmed the pressures of Wall Street drove him to drugs but said he had been in rehabilitation.

But since January, according to sources, his



SEN. DOLE

"Overzealous" conduct.

uted to reporters yesterday by a public relations firm representing Microsoft.

A Dole spokesman said he couldn't elaborate on the senator's remarks.

Microsoft said it is unsure what prompted Dole's comments, but appeared pleased.

At issue is a new Justice Department probe of the Microsoft Network, a computerized shopping and information service. AP

In the last two weeks, sources quote her as saying, the financial whiz has been high more than ever and will die if he can continue to plunder his account for cocaine.

Married eight years, Mrs.

well-known economists, Kudlow also served in the Office of Management and Budget in the Reagan White House and was a key adviser to Christine Todd Whitman when she replaced New Jersey Gov. Jim Florio.

Lilco rejects a buyout by L.I. Power Authority

Long Island Lighting Co. officials rejected a \$17.50-a-share buyout offer made last month by a New York state power agency.

The Long Island Power Authority's June 20 offer was designed to save itself, not the Hicksville-based utility, analysts said.

Gov. George Pataki and LIPA Chairman Richard Kessel, a Democrat appointed by former Gov. Mario Cuomo, had been struggling for control of the agency since Republican Pataki took office in January.

"There isn't any reason why they would act on the offer," said Raymond Moore, an analyst at Dillon Read & Co. "Pataki said the proposal was irrelevant."

Lilco's board said it believed the offer has "too many contingencies and uncertainties to warrant further review," according to a letter to Kessel from Long Island Lighting Chairman William Catacosinos.

Lilco said it remains open to proposals it believes to be in the best interests of its shareholders and customers.

The board's letter also states that it understood LIPA's board may be reconstituted, based on recent legislation, which affects the viability of the proposal.

Under the proposal, the Long Island Power Authority would purchase Lilco for about \$2 billion and would then refinance about \$5 billion in Lilco bonds.

Bloomberg Business News

Sears spinoff

Sears, Roebuck & Co. finished the spinoff its majority stake in insurer Allstate Corp., taking a last big step in returning to its retailing roots. The spinoff was the biggest ever, at \$10.7 billion.

\$2.7B charge

BellSouth Corp. said it will take a \$2.7 billion second-quarter charge for an accounting change. The change accelerates equipment depreciation in an effort to make the telephone company more competitive. BellSouth, the largest of the seven Baby Bells, said the charge probably will result in a final second-quarter loss of \$2.2 billion.

Financial boss

Edward S. Gordon Co. named Karen Pighi an associate managing director of the Financial Services Group, the investment advisory arm of the company. She formerly was vice president of acquisitions for Wafra Investment Advisory, a real estate investment advisory firm.

most every night. Some burned three or four times. One day I attended a backyard barbecue on 14th Street between Avenues B and C; the nearest standing

Luc Sante is author of "Low Life" and "Evidence," about the social and criminal history of New York City.

makeovers had a few sheets of drywall and a fluorescent fixture in the entryway, and by 1984 apartments were renting at prices several hundred percent higher than before.

The city started to notice, and it paid special attention to the buildings that weren't producing revenue.

Journal

FRANK RICH

Dole's True Lies

The names he didn't name.

Give Bob Dole credit for guts. He's the first Republican to hold radio talk-show hosts accountable for the bombing in Oklahoma City.

Sly old fox that he is, Mr. Dole didn't say this directly in last week's speech excoriating popular culture for undermining the nation. But surely that was his drift. You can't argue that gangsta rap and violent movies poison impressionable children without also making the case that G. Gordon Liddy inflamed the childlike rage of Timothy McVeigh.

I'm no fan of Dr. Dre or Mr. Liddy, but I disagree with Mr. Dole's theory that their ugly words are the causes, rather than the effects, of American pathologies. For the sake of argument, though, let's assume that the Senator is right, and that songs have had a more deleterious impact on urban America than, say, William Bennett's cut-and-run stint as George Bush's drug czar. The question then becomes: Does Mr. Dole sincerely care about our children, or is he just pandering to Christian Coalition primary voters at a particularly opportune moment? His opponent Phil Gramm — revealed by The New Republic to have invested in a 1974 movie laced with bestiality and blasphemy — is in no position right now to throw stones on behalf of "family values."

Yet Senator Dole and his partner in virtuosity, Mr. Bennett, are no less hypocritical. Surely anyone who really wanted to combat sex and mayhem in mass culture would be fighting to enhance, not kill, public television and the arts and humanities endowments — rare efforts to counter Hollywood

junk by bringing commercial-and-violence-free TV or actual culture to poor children. Nor would any politician who really cared about violence be in favor of repealing the assault weapons ban, as Mr. Dole is.

No, an examination of his speech reveals that his real motives lie elsewhere. "We will name their names," said Senator Dole of Hollywood's moral subversives, chillingly evoking the McCarthy era. To follow his partisan game, examine both the names he did name and the names he did not.

Violent movies are dandy with Mr. Dole, apparently, if Republicans profit from them. By singling out "Natural Born Killers" and "True Romance" — both long gone from theaters — Senator Dole was conspicuously avoiding a current, equally violent and far bigger hit, "Die Hard With a Vengeance." Why? It stars a Republican, Bruce Willis, and was bankrolled by the G.O.P.'s favorite media sugar daddy, Rupert Murdoch. Even more outrageously, Mr. Dole endorsed "True Lies" — a feast of violence, misogyny and ethnic stereotypes — as an example of family fare. It, too, is a Murdoch production with a Republican star, Arnold Schwarzenegger.

The Dole obsession with gangsta rap is no less partisan. White bands

other Property, after all, is sacrosanct. Western society.

And yet a question remains: if you picked a discarded shirt out of the neighbor's trash, cleaned it, stitched up its tears, mended its frayed

— Guns 'n' Roses, Soundgarden — that trade in equally grotesque sex and violence reach a far larger audience than their black counterparts. If pop music is the social pollutant Mr. Dole says it is, why do white bands get a free pass? The Senator seems less interested in evenhandedly addressing a cultural crisis than in anointing a Willie Horton for '96.

And why is only the gangsta rap of Time Warner, not its foreign-owned competitors, suitable for naming names? Does the fact that its chief executive is named Levin play particularly well in some far-right G.O.P. quarters? There isn't a single entertainment executive I've spoken to since Mr. Dole's speech who hasn't echoed Billy Crystal's comment during Dan Quayle's fling with "Murphy Brown": "Every time they say the phrase 'Hollywood elite' you can hear the unspoken word 'Jew.'"

Many of these same executives believe that current pop lyrics present serious issues that must be examined, but they point out that even if Time Warner dropped its gangsta rappers today, the singers would turn up on another label tomorrow — just as Ice-T did immediately after Time Warner dropped him in 1993.

What is to be done? Some in Hollywood cite the example of Senator Paul Simon's bipartisan, industry-wide hearings on TV violence, which actually yielded some results. But Mr. Simon, unlike Senator Dole, was a leader aspiring to help all children, not a Presidential aspirant cynically following the divide-and-conquer script of the religious right. □

Growing Up Absurd

The main event in the latest Peter Leroy novel is Peter's sexual liaison with twins.

AT HOME WITH THE GLYNNS

The Personal History, Adventures, Experiences & Observations of Peter Leroy (Continued).
By Eric Kraft.
179 pp. New York: Crown Publishers.
\$20.

By Jonathan Baumbach

ERIC KRAFT seems to have taken to heart Wordsworth's visionary notion that "the child is father of the man." And in this latest episode of the "personal history, adventures, experiences and observations" of 12-year-old Peter Leroy — his adventures in the growing-up trade — the precocity of Mr. Kraft's narrator mirrors the audacity of the novel itself.

Through a string of digressions, the storyteller withholds the erotic main event he promises us in his preface. The method is risky, potentially maddening. It is a bit like Scheherazade inventing stories to evade her execution. A moment's letdown — the narrative must continually beguile — and all is lost.

The main event we are waiting for is Peter Leroy's sexual liaison with the slightly older, nymphettish Glynn twins, Margot and Martha. Peter's initiation into the mysteries is set in motion on the night he escorts the girls to a movie, "L'Amour, La Guerre, La Poussière," at the off-limits Fine Arts Theater. One trespass leads, as it will, to another.

But before Peter is allowed to accompany the twins to a movie, he must ask their eccentric parents, Andy and Rosetta, for permission. And before Andy will entrust his daughters to Peter, he wants to get to know the boy a bit better.

To that purpose, Peter becomes a constant visitor in the Glynn household, learning from, and about, the parents as they learn from, and about, him. And even before Peter is invited to meet the parents, the girls have embarked on their own educational experiment. One day at school, they set Peter the task of rolling two peas simultaneously with the middle fingers of each hand, a skill that will come into play later in the story.

These digressions, which seem arbitrary at first, twist together like weave in a fabric. "At Home With the Glynns" is as much

about the ways of telling a story as it is about the playful coming-of-age story it has assigned itself to tell.

As an adjunct to the Glynns' history, we are also given the tale of the fire that gutted the Nevsky mansion, a signal event in the lives of most longtime residents of Babbington, L.I. As Peter tells us, "Hearing the story of the fire in the Nevsky mansion from so many sources on so many occasions taught me something about how to shape a story, because I got to see the storytellers at work, employing techniques of refinement, of elaboration." For the sake of closure, apparently (and perhaps metafictional fancy), there is another memorable fire at the end of the novel.

Long before this, Peter finds himself, in several senses, at home with the Glynns. He becomes a lover of the daughters and a confidante of the mother (who has moved from writing poems to composing contest jingles, in 25 words or less). He also becomes an art student of the father, who enlists him in another trespass: the doctoring of other students' drawings.

In his quest for experience-as-knowledge, Peter apprentices himself, with his characteristic mix of acquiescence and obsession, to each of the Glynns, who provide as a unit the occasion of his fortunate fall into the feckless adult world.

PETER LEROY'S preadolescent voice, recaptured years later by his fictive middle-aged persona, is always unerringly itself, at once unexpectedly articulate and believably childlike. It is a likable voice, ingenuous, modest, wholly engaging. As such, it earns the most fanciful events in his story a certain credibility, or at least an unresisting suspension of disbelief. We are disposed to accept whatever Mr. Kraft, in the guise of Peter Leroy, tells us, even as he confesses to mixing invention with memory, even as events become more and more whimsically improbable.

A daring tour de force, "At Home With the Glynns" seems often to be dangling on a tight-rope over the mine field of terminal cute. It teeters teasingly but never loses its poise. Mr. Kraft's cunning novel is really a children's book (like, say, "The Catcher in the Rye") for adults, which I mean as unequivocal praise. There is nothing more serious, after all, than the playful, given full play by an unapologetically childlike — even childish — imagination. □

Jonathan Baumbach's most recent novel is "Seven Wives."

Jeffrey Masson changes the way we look at animals

"A masterpiece, the most comprehensive and compelling argument for animal sensibility that I've yet seen."

—Elizabeth Marshall Thomas, author of *The Hidden Life of Dogs*

"Marvelous! If animals could read they would be filled with joy and gratitude to the authors—as I am. Please read it."

—Jane Goodall

"A must-have for anyone who cares about, or is in awe of, animals."

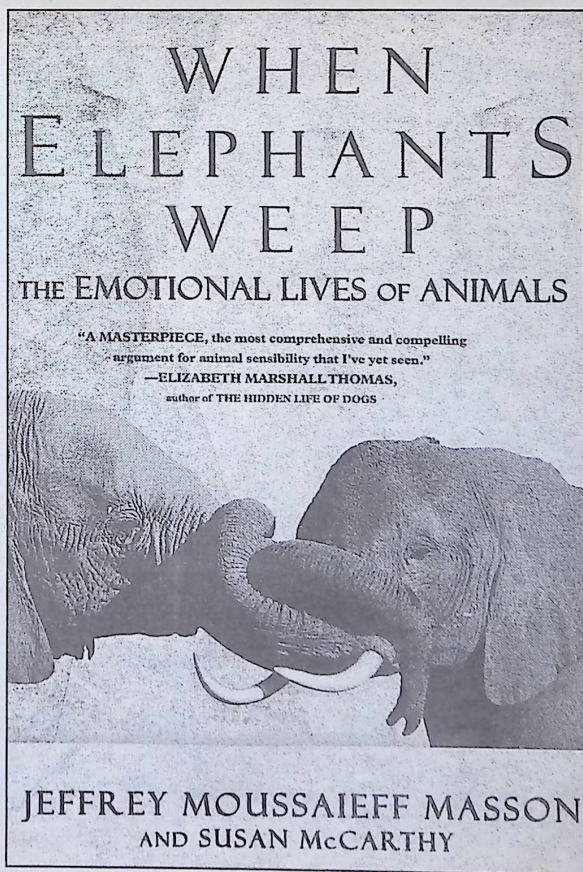
—Alex Pacheco, President, PETA (People for the Ethical Treatment of Animals)

"A milestone in the battle to try and make *Homo sapiens* realize that he is only one member of an enormous family."

—Farley Mowat, author of *Never Cry Wolf*

"Astonishing.... Its chief appeal is the remarkable range of feelings it explores and evokes."

—Christopher Lehmann-Haupt, *The New York Times*



Pure Doggerel

Fragrant poetic offerings by the canines of the literati.

UNLEASHED

Poems by Writers' Dogs.
Edited by Amy Hempel and Jim Shepard.
Illustrated. 175 pp. New York:
Crown Publishers. \$19.

By Jacques

MY master handed over this book for my comments. He's intimidated by poetry anyway. I'm not intimidated by anything except thunderstorms. Of course, I was happy to learn that someone is finally bringing out a collection of poems by dogs. Poetry is a natural form of expression for us, because of our appreciation of nature, propensity to vocalize and sensitive personalities. High time, I thought. I rather expected to find some of the well-known and beloved folk epics, like "Somebody's Out There — I Know It" and "I'm Barking to Hear Myself Bark."

But these are poems by writers' dogs, and some of them tend to sound just a wee bit literary. It's only to be expected. Keeping one's palette clean is difficult in the best of circumstances, and I have no doubt that the authors of the poems in this collection are forced to listen while their human companions read their own stuff aloud ad nauseam. Thus there is a measure of contamination discernible in some of the selections, dogs talking about things no sensible canine would ever think about. Death, for example, and labored musings on the nature of relationships, something we understand automatically.

Jacques Amo Pooch Cini resides with Daniel Pinkwater, whose most recent novel is "The Afterlife Diet."

ly, completely and perfectly. I mean, what is a dog, anyway?

But any collection of poetry is bound to be an admixture — and there are some delightful specimens to be found among the more burnished but less fragrant offerings.

I cite "Complacencies of the Fenced Yard," by Skipper, who resides with one William Tester:

Huh-huh huh-huh huh-huh huh-huh
Huh-huh huh-huh huh-huh huh-huh
Huh-huh huh-huh huh-huh huh-huh
Huh-huh rm-huh huh-huh huh-huh huh
Huh-huh huh-huh huh-huh huh-huh

My kind of poem. Besides being a technical tour de force, it's true.

Compare it with "Rain," by Audie, who belongs to Amy Hempel:

The rain washed his paw
prints from my garden. Ice cream
would help — in a cone?

Or this excerpt from "In the Heat of the Night," by Gracie, companion of Lee Smith:

My biological clock is ticking.
The time has come.
Soon I will be in heat.

This bitch has nothing to say to me.
Sensuality gets treated more robustly in "Rosie," by Rosie, a friend of Andrew Hudgins:

... almost as great
as the place near the river
where I somersaulted on
a soft, rank fish last August
— perfume! — and got smacked
and washed, and where I still
check every day because
it might return. It could.

This is the goods. Imaginary riverbanks with real stinky fish on them.

Of course, the fun of any anthology is sniffing through it for the bits you like best. There are plenty of treats in this one, like "Birch" by Birch, Karen Shepard's dog:

You gonna eat that?
You gonna eat that?
You gonna eat that?

I'll eat that.

I think it's noteworthy that many of the better dog-poets name their works after themselves. It's what I would do.

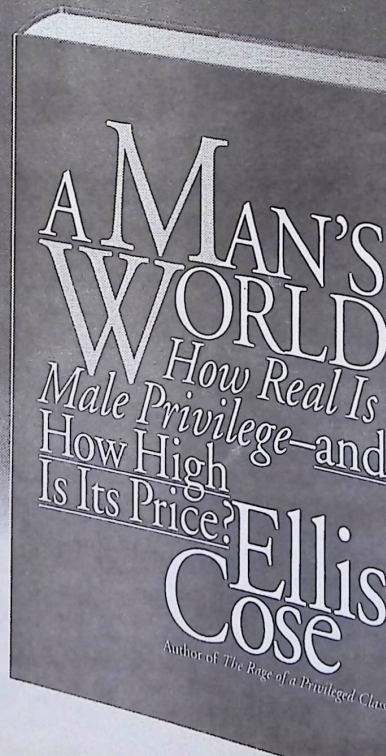
The poets are pictured on the pages of "Unleashed," and in almost every case, they have chosen to be photographed with their human companions. This demonstrates what generous creatures we dogs are, and how much we love our people.

I had a barking good time with this book. The compilers deserve to be given a croissant and have their ears scratched. □

MEN: What more do they want?

Men, again, are in the spotlight. Their confusion, pain, and particularly their anger are increasingly on display. Can all the grumbling be justified?

Ellis Cose, whose acclaimed bestseller *The Rage of a Privileged Class* offered a dramatic new perspective on race, now looks at the troubled issues of gender. From feminism to the men's movement, from child custody to domestic violence, from sexual harassment in the office to Mr. Mom at home, Cose examines the rhetoric and the reality of the male dilemma. In the midst of today's often angry debate, his is a voice of reason.



CHRONIC DEHYDRATION PAINFULLY AND PREMATURELY KILLS

In the process causes: heartburn, dyspepsia, rheumatoid joint pain, migraine headaches, anginal pain, back pain — now understood local emergency calls for water—THIRST SIGNALS. HYPERTENSION, raised cholesterol, peptic ulcers, chronic fatigue, asthma, allergies and diabetes in the elderly are complications of persistent dehydration. A must read—motherlode of easy to read and understand new health information for the next hundred years—book: "YOUR BODY'S MANY

CRIES for WATER"

2nd Ed. ISBN: 0-9629942-3-5: \$14.95. Outstanding 1st. Ed. reviews, e.g.: "It is claimed that fish probably have no awareness of the presence of water; this book shows we may have done little better." *Journal of Clinical Gastroenterology* - Jan. 1994. Direct orders: Visa or Master Card only: 1-800-759-3999

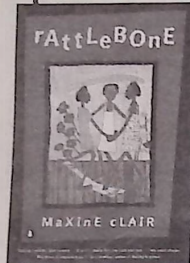
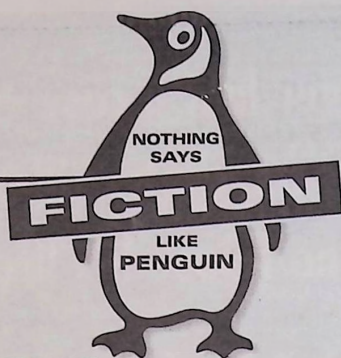
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TORONTO, CANADA



MAXINE CLAIR RATTLEBONE

Irene Wilson learns about the joy and sadness of life in interrelated stories which also reveal the ordinary, astonishing lives of one town's African-American inhabitants in the 1950s.

Winner of the Literary Award for Fiction from the Black Caucus of the American Literary Association

KINGSLEY AMIS THE RUSSIAN GIRL

Respected scholar Richard Vaisey has his marriage threatened and his integrity compromised by his affair with a Russian poet, particularly after his wife initiates a plan of revenge in this "corrosively funny" (New York Review of Books) satire by the Booker Prize-winning author of *Lucky Jim*.



EMILY LISTFIELD ACTS OF LOVE

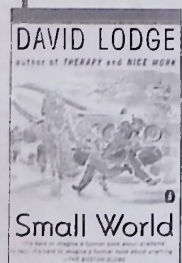
A wife on the verge of independence. A husband desperate to keep her. One fatal bullet will fragment their family—and truth itself—in this suspenseful novel.

"A chilling meditation on so-called acts of love."
—The New York Times Book Review

REINALDO ARENAS THE ASSAULT

In this, the final volume in the series of five novels that constitute Arenas's "secret history of Cuba," a late-filled government torturer narrates his way through a blackly humorous shadowland.

Other books by Reinaldo Arenas, including his stunning memoir, *Before Night Falls*, are available from Penguin

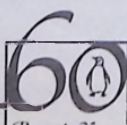


DAVID LODGE SMALL WORLD

The universally acclaimed, irreverent, incisive, and irrepressible modern comic classic of academia—shortlisted for the Booker Prize.

"It's hard to imagine a funnier book about academe. In fact, it's hard to imagine a funnier book about anything." —The Boston Globe

Other books by David Lodge are available from Penguin



Russian Wise Guys

Continued from page 1



Members of a Russian antidrug squad arrest suspected drug dealers near Moscow University in 1993.

al Klondike, Mr. Handelman says. Shady millionaires in glossy suits with broad shoulders cruise about in motorcades of imported sedans with armies of bodyguards; foreigners in search of fast fortunes pack hotels; casinos and glitzy nightclubs sprout like mushrooms through the city center (replete with metal detectors and hulking bruisers at the door); guns are everywhere, often smoking. "The second great Russian revolution of this century," Mr. Handelman writes, "is awash in corruption, opportunism and crime."

A REPORTER who was in Moscow from 1987 to 1992 for The Toronto Star, Mr. Handelman takes us into places that few know of, and where even fewer have ventured. He meets with racketeers and gunmen, police officials and politicians, new millionaires and former dissidents. He guides us around the roots of Russian crime—the old Soviet prison culture and the *tolkachi*, the specialists who found short cuts through socialist inefficiency; the greedy commissars and the Communist Party's secret bank accounts; the state monopolies that emerged as private monopolies. The problem, Mr. Handelman warns, is not only Russia's: Russian hit men have struck in London; Russian raw materials smuggled out of the country have played havoc with Western markets; Russia's underground millionaires are acquiring pricey chunks of Western real estate; Russian arms and nuclear materials have surfaced the world over.

This book is a sobering and chastening voyage for those in the West who were, in Mr. Handelman's

words, "quick to claim 'victory' in the cold war." Yet terrible as Russia's crime problem may be, it has remained a confusing phenomenon for Westerners and Russians alike. For one thing, street crime, though far more visible and prevalent than under Communist rule, is no worse in Russia's cities than in many major cities elsewhere (a reasonably careful visitor is probably safer in Moscow than in New York). For another, Russians reared in Soviet ethics, which classified any form of private enterprise as evil, are quick to label any group dedicated to making money "mafiya."

The problem is that technically they're right. The collapse of the Soviet Union has left such a legal and economic mess behind that I doubt whether anyone who has lived in Russia in recent years, much less anyone who has tried to do business there, has not broken one law or another. A legal system constructed for a socialist police state has proved hopelessly inadequate for modern commerce—there simply were no laws for facilitating private enterprise, and courts designed to handle domestic quarrels and street crimes were not prepared to handle complex economic cases. At the same time, the torrents of decrees and laws issued over the past three years by the President and his parliaments have often been crude, contradictory and utterly inconsistent. The inevitable result: Russians, as a wise man noted in the last century, "compensate for the severity of their laws by disregarding them."

In general, it is hard to imagine a society less hospitable to modern commerce than the old Soviet Union was. Everything belonged to "the people," and

Thieves World

For decades, the prisons of the Soviet Union had been home to the world's most extraordinary criminal society. For almost a century, it had been known as *vorovskoi mir*, the Thieves World. From their cells, crime bosses planned and organized their operations across the country. . . . Lieutenants, often called *brodyagi* (vagabonds), conducted formal dealings with the outside. The so-called vagabond brotherhood provided the network for transmitting orders and collecting profits. In the Soviet era, the gangs operating from their prison bases were no threat to ordinary civilians. Their enemy and rival was the Communist Party, for which they bore an old and longstanding grudge.

Once the Soviet Union had collapsed, however, criminal organizations emerged from their lofty isolation. It was no longer necessary to guard against Communist infection. A modern gang leader could manage his empire from outside prison walls without shame; in fact, the new opportunities available for profit made this nearly a requirement. And even for those who remained inside, there was no risk of embarrassment or censure in bargaining with straight society. Like caged lions who suddenly realized their strength, the leaders of the Thieves World were ready to take what they considered their rightful place in the pecking order of the New Russia.

From "Comrade Criminal."

Random notes - all subjects