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Union spies likely to continue

By DICK SATRAN
of the Cardinal Staff

The Union Council's request for a temporary halt to spying operations in the Wisconsin Union will probably have little effect. Even if the governing body for the Union decided to drop the spy service completely, the Campus Internal Audit Bureau (CIAB) would carry on its own spying missions, according to CIAB director Gerald Lange.

Three Union employees lost their jobs or were suspended in October as a result of spying operations carried out by management. Lange said his staff carried out similar operations there for the last three years. He said that if the Union management stopped its spying service, his staff would start again. "When the customer (spy) service was hired," he said, "it took the burden from our office."

HE SAID THAT the Campus Audit has been watching the Union closely since a "disastrous" audit report made by the State of Wisconsin in 1972.

"Some of my staff has been observing cash transactions since then," he said. "The use of a commercial outfit is new. It's an outgrowth of our work."

Lange said no one ever lost a job directly as a result of his staff's work because no procedures for the handling of cash had been set up. Recently, he said, those controls were instituted.

"It's all written up now," he said. "Before it wasn't. They (cash handlers) did what they wanted. The Union was operating without accountability." (continued on page 2)



THE DAILY CARDINAL

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VOL. LXXXVI, No. 73

The University of Wisconsin-Madison

Tuesday, December 9, 1975



photo by Dick Satran

NOT SNOW, nor slippery streets, nor lack of studded bicycle tires can halt the true blue bicyclist... only bicycle thieves and big trucks.

UW charged with 'elitist' hiring

By SHELAGH KEALY
of the Cardinal Staff

Nancy Wettersten, vice president of the Wisconsin Student Association (WSA), resigned Monday from the Academic Vice-Chancellor Search and Screen Committee. Wettersten said she could "no longer participate in the elitist hiring procedures" of the University.

The search and screen committee is attempting to find a replacement for former Vice-Chancellor Irving Shain, who resigned last summer to become vice-president and provost for the University of Washington in Seattle.

WETTERSTEN CITED TWO reasons for her decision. "I have come to the belated conclusion that I can no longer participate in the elitist hiring procedures of this University. The emphasis on publishing is astonishing to me," she said. "In light of the recent denial of tenure to Finley Campbell, solely on the basis of his publications, I find the emphasis on ivory tower scholarly research detrimental to the University as a whole."

Wettersten explained that her second reason grew out of the expected passive role she has been forced to play as the only student on the committee. "My second reason for resigning is the fact that it has become increasingly apparent that my membership on the committee is pure tokenism."

"Other members of the committee

make their decisions on the status of applicants after consultation with their colleagues. Any discussion I might have with my colleagues, other students, would have little weight," she said.

According to Wettersten, when the committee was formed this summer, Chancellor Edwin Young informed the committee that he wished it to choose an individual who wouldn't come into this University with "all kinds of new ideas." He asked that they find someone in the physical sciences to act as an alter ego to himself, because his academic background is in the social sciences.

IN A LETTER YOUNG wrote the newly chosen committee members on July 10, 1975, he stated, "I urge you to make a sincere effort to seek minority and women candidates for this position, since we expect to honor the letter and spirit of our affirmative action commitment."

But according to Wettersten the committee was advised by Cyrena Pondrom, Affirmative Action Officer for the University, that they would have to recruit women and minority applicants only to keep from being sued. They are not required to hire a woman or minority.

"We have to look for minorities and women to keep from being sued," Wettersten said. "But there is no problem with not hiring them. No one on the committee really believes it will be anyone other than a white male," she said. (continued on page 2)

University Y survives... for now

By STEVE KERCH
of the Cardinal Staff

The University YMCA Board of Directors voted unanimously Saturday to accept a City Housing Authority loan of up to \$10,000 to make boiler, roof and other general building repairs.

WHILE REPAIRING THE boilers is the first priority as far as the directors are concerned, the board also agreed that a leaky roof, shaky plumbing, missing screens, broken windows, inadequate lighting fixtures and the removal of an oversized tree needed to be taken care of in that order if enough money were available.

BEFORE THE Y'S priorities can be tackled, however, all building code specifications have to be met. As a condition of the Housing Authority loan, the Y premises will be inspected and all deficiencies will have to be corrected, regardless of the status of the loan. Ald. Carol Wuennenberg, (Dist. 4), Y treasurer, said the inspection would be "friendly."

Payment for any building code deficiencies will be made out of the loan. None of the directors was sure how many repairs might be needed.

Even though the loan does not name a specific amount, the directors believed the \$10,000 limit would be reached before all the necessary repairs were included.

The board of directors also decided to repay the loan, with its 6.5 per cent interest, in no more than 10 years at no more than \$100 a month.

SCOTT GROVER, building manager, reported that the Housing Authority will now go ahead and obtain boiler repair bids and hopefully repairs can be made during the semester break, even if the loan is not finalized. Grover added that all repairs would be guaranteed for at least one year.

Even with the Housing Authority loan, the Y's financial position remains cloudy. Income is \$55,000 a year, down from \$115,000 five years ago. Contributions have

dropped from about \$6,000 to \$2,000 and a \$7,000 United Way annual grant has been lost.

In addition, the first mortgage on the building is \$85,705 and is being repaid regularly, but there is a \$54,000 second mortgage for which the Y was supposed to raise \$50,000 in matching funds but never did.

The Y also has \$1,488 in past due bills, plus \$4,000 left to pay on a bill that should have been paid four years ago.

CHARLES MELVIN, A director for five years, said, "I can't really say very much because I haven't seen the books," he said, "but this place is not run very efficiently." He cited the loss of income from 20 parking spaces that are just given away, rather than rented.

Jim Hartling, a Y resident since June, 1972, is very concerned with the financial status of his housing. "I'm just a resident — on the outskirts (of the fiscal scene)," he explained. "I don't like to attack the idea of

salaries, but some of the salaries here are pretty large. But if the boiler kicks out, where I'd move to I don't know. The Y is like a neighborhood, the place grows on you."

Ald. Roney Sorensen (Dist. 5), a Y director, believes salary cuts, along with the elimination of other financial inefficiencies, must be enacted to fight the YMCA's fiscal crisis. He has submitted a six month plan which he says would save the Y roughly \$4,500. The board of directors will act on his proposal at their next meeting.

But Wuennenberg believes the loan may solve many of the Y's problems indirectly. "The loan will allow us to pay back bills by freeing most of the building and maintenance money now used for repairs," she said.

Wuennenberg added that the loan did not end the Y's need for money. She said, "We're running the Y as well as can be done. But it's time the community supported the Y again and the organizations it aids."

Spies may stay, MULO seeks arbitration

(continued from page 1)

Student workers and supervisors reacted unfavorably when the three workers were disciplined in October. The Memorial Union Labor Organization (MULO) made plans for a boycott and informational picketing of the Memorial Union. MULO also initiated "harsh treatment" grievances on behalf of the two workers who had been suspended.

"I'm really annoyed with opportunity for crisis this presents," said one supervisor. Paul Heinen, one who had been suspended, said that his supervisor was "so upset, she went to bat for me," trying to win back his job.

The Employee Relations Department of the University substantially reduced the suspension of the two workers. They had originally been placed on suspension for 150 work-hours each for giving away one free beer to a friend.

"The disciplines were modified to a degree," said MULO representative Ilene Robinson. However, MULO maintains that even with the modifications the disciplines are too harsh. It has been determined that the workers will appeal management's decision to arbitration by the Wisconsin Employment Relations Commission (WERC), the final appeal provided for in the contract's grievance procedure.

EMPLOYEE RELATIONS DEPARTMENT representatives would not comment on the action, which immediately reinstated Paul Heinen after about 30 hours of suspension. The other suspended individual will be allowed to return to work in mid-December, instead of late April as originally stipulated.

"Because the matter is going to arbitration I'm not going to

jeopardize the employees' position or the University's position by saying anything," said Edward Corcoran, who handled the case for the Employee Relations Department. "This is not something that is going to be solved by public opinion."

The Union Council meanwhile asked that management "make no more contractual agreements" with the spy teams until they could discuss the matter at their December meeting. Dan Castleman, president of the Union Council, said he could give "no guarantees" that this meant there would be no spies in the Union during December.

MULO is also seeking arbitration on the matter of a boycott. After planning one for the second week in November, MULO called it off.

"MANAGEMENT HAS MADE it clear," said Ilene Robinson of MULO, "that they intend to construe a boycott as an interruption of services and will hand out harsh disciplines to MULO members who actively sponsor or support a boycott."

The MULO contract explicitly prohibits strikes, sit-downs, mass resignations or sick calls, but nowhere is the word "boycott" mentioned. One section of the contract says that discipline can be imposed in the event of "concerted interruption of operations or services by employees."

Thus far, MULO has been unable to bring the matter to arbitration. According to the labor union's lawyer, Bob Arnot: "Management has taken no position on a boycott. Their present position is that they have no position. In order to be arbitrable there has to be a dispute."

When the issue first came up in mid-November, Memorial Union personnel director Tom Cleary was unsure whether calling for a boycott was a breach of contract.

"IT WOULDN'T BE up to me to decide," he said, "It would have to go to an arbitrator."

Cleary said the issue would resolve itself if MULO staged a "successful" or "damaging" boycott. "Then," he said, "that would be a breach of the MULO agreement regarding interruption of services."

Since mid-November management has taken a "no-comment" stance toward the boycott. Arnot said he believes it is a sign that management is trying to avoid a dispute that would end in arbitration. Arnot believes that MULO would win the arbitration and they would be allowed to hold a boycott. Both Corcoran and Cleary, members of the management contract bargaining team, have in recent days declined to comment on the issue.

Ted Crabb, director of the Wisconsin Union for the last eight years, also declined comment on the boycott. But regarding the spies he said: "Some principles, some standards need to be drawn up on how to use the service. I can see getting together with a group of representatives from the staff, Union Council, and MULO to sit down and talk over procedures on the use of the service...I think what is important and what is going to happen is that some guidelines will be developed."

ASKED WHETHER THIS could include dropping the service altogether, Crabb answered negatively. "Potentially," he said, "the type of input would be with regard to how often and when

the service is used."

Crabb saw a conflict between the idea of a "student-run" Union and his function as manager of the Union. "Basically we have to run the Union under the state rules and regulations," he said. "Which means we have to operate it as a business."

Crabb said the Union Directorate had no choice but to follow the advice of the legislative and campus audit bureaus. Gerald Lange, the internal auditor for the University, agreed.

"If the legislative audit came down the way it did three years ago," said Lange, "there would be a house cleaning at the Union."

Growth and profit is needed for three reasons, Lange said, first, to offset inflation, second, to cover costs of deferred maintenance and improvements, and third, to carry on the free programs the Union offers.

"The food service lines have to be remodeled to compete with McDonald's and the Kollege

Klub," he said. "They need capital to do that. No one's going to make them a big loan. And if they expect any help from the legislature in the future if a crisis should arise, they have to follow the recommendations of the legislative audit."

At a recent closed meeting of the Union Council Operations Committee, Dan Castleman echoed Lange's argument. He talked about a number of food services at student unions around the country that have actually been taken over by McDonald's.

MULO REPRESENTATIVES say the real reason for implementing the spying team was to enforce a work speed-up in the face of slipping morale among Union employees.

"Even if they say they haven't made cutbacks there are more people using the Union," said Robinson. "There are more meal contracts. I know that my unit is producing more with the same number of people."

Wettersten quits

(continued from page 1)

Part of the reason the applicant chosen will probably be a white male, according to Wettersten, is because of the academic standards being impressed upon a potential candidate. Young told the committee he expected them to choose someone with a "distinguished scholarly record," which means numerous publications, according to Wettersten. She said Young wants the person chosen to be immediately eligible for tenure within their academic department, and one of the vital requirements for tenure here is an impressive publications record.

WETTERSTEN illustrated this with an example of an applicant she suggested for the position. "I suggested that Donald Percy, now Vice President of the University System be encouraged to apply for the job," she said. "But Phillip Myers, an engineering professor who is head of the committee, said 'We couldn't begin to consider him—he hasn't even got his PhD.'"

(Donald Percy has an honorary PhD. in law.)

The Committee stopped accepting applications in November. At present there are about 200 applicants, but the methods used to sort people into an "active" and "canned" basket are under the table as far as Wettersten is

concerned. "Someone on the committee always has a friend who has a friend who knows something about the person in question," she said. "They will probably end up with 50 to 60 candidates on their active list."

Young would like to be able to review a list of five candidates beginning in January, but Wettersten said the committee has not reviewed enough applications yet to narrow down the present applicants.

"They are looking for someone who has gone along through all the expected routes, and risen through the ranks," she said.

BUT WETTERSTEN IS NOT going to go along for the ride any further. "I think they just thought they could put their one student on the committee and then no one could complain about student representation," she said. "They figured I would bumble through and go along with them, but this whole question of student representation is bullshit," she said.

In a statement she sent all the committee members, Wettersten concluded by saying, "I do not feel guilty in vacating the only student position on the committee. I am not depriving students of a voice on the committee, because there is not, and never will be, an effective voice on committees such as these, no matter who fills the slot."

NOTICE

STAFF MEMBERS

Annual staff elections to be held Jan. 25 at end of Spring Registration Week.

See candidate and voter sign-up lists in Cardinal office this week.

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America's new colony -- New York

By PETER WILEY
Pacific News Service

NEW YORK, —As New York breathes a sigh of relief with the promise of federal loans, residents still face the spectre of declining standards of living. What few outside New York see, however, is the other side of the city's agony: the end of home rule.

Abe Beame is still mayor, and the city council still meets, but the real power that comes from setting budgets rests in the hands of the Emergency Financial Control Board (EFCB). Created by the state legislature in September when New York was teetering on the cliff of default, the EFCB was given control over all city revenues until 1978 and mandated to cut about \$1 billion from the city budget.

THE EFCB—made up of the governor, the mayor, the city and state comptrollers and three prominent New York businessmen—meets in private session. As a member of the state legislature's Black and Puerto Rican Caucus put it when unsuccessfully demanding representation on the Board: "The Control Board has supplanted the traditional city government."

The Board has repeatedly rejected Beame's budget cuts as too soft. They have ordered 8,000 more layoffs, bringing the total to 43,000, closed 28 day care centers, chopped \$12 million from the hospital budget and forced City University to turn away 10,000 new students next year.

While the loss of home rule to the Control Board troika of governor, mayor and businessmen has been apparent, less clear has been the power wielded both publicly and privately by the city's banking community—the largest and most powerful in the world.

With \$1.25 billion invested in city bonds—roughly 23 per cent of their equity—it was perhaps inevitable that the city's major banks would intervene for their own protection. And the city has had little choice but to abide by their dictates, for it must sell \$2.6 billion in bonds—with these banks as principal buyers—in the next year alone.

THE BANKERS' ASCENT to power began last spring when some 10 key bankers formed the private Financial Community Liaison Group to advise the city. Headed by the world's leading bankers—David Rockefeller of Chase Manhattan, William T. Spencer of First National City and Ellmore C. Patterson of the Morgan Guaranty Trust Co.—the



group worked with a special blue-ribbon businessmen's committee set up by Gov. Hugh Carey to attract new investors in city bonds.

The acknowledged head of the businessmen's committee was Felix Rohatyn, a top investment counselor with the prestigious Lazard-Freres investment house, known as a middleman between banks, corporations and the government.

In late May the bankers issued what amounted to an ultimatum in a letter to Mayor Beame telling him they could not sell any more city bonds until the city balanced its budget and undertook other fiscal reforms to inspire investor confidence. At the same time, the bankers and Carey's blue-ribbon committee urged the state to create a super-agency to sell new bonds for the city.

The legislature quickly complied and set up Big MAC—the Municipal Assistance Corp.—with Rohatyn as its finance chairman.

The city unions, however, responded by calling a huge demonstration and labeling the bankers "Public Enemy Number One" for their refusal to buy more city bonds. Such pressure is one reason the Liaison Group has continually tried to keep its almost-daily meetings out of the public spotlight.

BIG MAC'S first bond sales fell below expectations in July, however, and the Liaison Group decided to break their public silence with a demand for

stronger medicine. David Rockefeller wrote a well-publicized letter to Big MAC calling on the city to make dramatic and immediate spending cuts to prove to investors that it planned to balance the budget.

Over the summer city employees were laid off, construction of new schools and libraries halted, subway fares increased and city services cut back.

By August, however, bond sales were still inadequate and the bankers had lost confidence in Beame. Investors were particularly haunted by Beame's history of hiding budget deficits, both as mayor and as city comptroller under former Mayor John Lindsay.

In September, with city government paralyzed and bond sales limping along, the bankers urged the state legislature to create another super-agency, this one designed by Big MAC.

AGAIN, THE legislature complied, and the Emergency Financial Control Board was born.

According to informed insiders, the man calling the shots for the Control Board has been Rohatyn. The three businessmen appointed by Gov. Carey to the Board—William Ellinghaus, president of New York Telephone Co.; David Margolis, president of Colt Industries; and Albert Casey, chairman of American Airlines—share one thing in common: Rohatyn's firm is their investment counselor. In addition,

Margolis is a former vice president of ITT, where Rohatyn sits on the board of directors.

Carey's appointment of corporate executives rather than bankers was consistent with his policy, announced last May, of trying to keep the banks out of confrontations with the public.

In mid-October, the Control Board rejected a new budget drawn up by Beame and demanded a wage freeze for city employees and a halt to all city construction projects.

THE BOARD WAS also successful in bringing the city unions into line—several of which had struck or vigorously protested against layoffs during the summer. Under the threat of having their contracts thrown out the window if New York defaulted, they agreed to buy \$2.5 billion in MAC bonds from their pension funds—at the expense of a two-to-four percent reduction in take-home pay for all members.

Thus the unions, without representation in the city's new government, now have a significant financial commitment to keep New York solvent—a process that will inevitably mean more layoffs among their own ranks.

Finally, President Ford, encouraged by EFCB budget cuts and a new tax package passed by the state legislature, agreed to help New York out with three years of short-term loans.

Thus with all the pieces in place and the Central Board firmly in power, the painful process of bailing New York out has begun.

Estimates of how long it will take range from three to 10 years.

FOR MANY NEW Yorkers the future looks bleak. Thousands of teachers, firemen, policemen and civil servants have been laid off. Estimates of unemployment range from 12 to 17 per cent with perhaps as much as 40 per cent in the ghettos. And as businesses flee the city—leaving one square mile of vacant office space—the number of jobs fall steadily.

Big MAC has pledged to its investors that there will be no increases in welfare and Medicaid. Community services have already been gutted, with the budget for community action programs in the ghetto cut by 30 per cent.

The bankers may have made the bonds marketable again, but that could mean sharpening the division of New York into a faltering downtown world of business executives, white-collar workers and shoppers, surrounded by a growing belt of the most vicious slums in America.

LANGDON GROCERY CO-OP

The Langdon Area Grocery Collective is selling bonds in order to raise money to start a member-controlled, non-profit food co-op on Langdon Street. Bonds are being issued and guaranteed by Madison Community Co-op and must be for a minimum of \$25. Bonds may be purchased at the MCC office (1001 University Ave.) or the WSA office (rm. 511, Memorial Union). For more information, call 251-2667 or 256-6144.

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Put it all together in Air Force ROTC.

The Daily Cardinal

a page of opinion

the 753 page legacy of the Nixon regime

"LEADING" A RIOT. Redrafts 1968 law. Provides for up to three years in jail and/or up to one-hundred thousand-dollar fine for "movement of a person across a state line" in the course of execution or consummation of a "riot." A "riot" as defined could involve as few as "ten" participants whose conduct "creates a grave danger of imminently causing" damage to property. Invokes comprehensive federal jurisdictional involvement down to the level of barroom affrays. (Sec. 1831; p. 173)

DEMONSTRATIONS. Virtually every kind of civil rights, peace, and other protest action would be threatened with severe penalties under a series of vaguely drafted infringements on the right of assembly including restrictions on the right to demonstrate adjacent to wherever authorities may declare to be the "temporary residence" where the President may be staying. (Sec. 209; p.391. For other sections see: Sec. 1112, 1115, 1116, & 1117—pp. 65-68; Sec. 1302—p. 82; Sec. 1311—p. 83; Sec. 1328—p.91; Sec. 1334—p. 94; Sec. 1861 & 1863—p. 180-181)

WIRETAPPING. Reaffirms the 1968 law, including the ambiguous Presidential authority to wiretap domestic activities where a "danger to the structure" of the government is involved. By virtue of incorporating the multiple changes in existing statutes, S.1. expands the areas where wiretapping is permitted as part of the investigatory processes. Directs telephone companies and landlords to cooperate "forthwith" and "unobtrusively" with government wiretappers, and provides for compensation for such cooperation. (Chapt. 31, A; pp. 206-18)

SABOTAGE. Provides the death penalty or life imprisonment in some cases, up to twenty to thirty years in prison and/or up to one-hundred-thousand-dollar fine in others, for activity that "damages, tampers with..." almost any property or facility "used in or particularly suited for national defense" or service that is or might be used in the national defense, with intent to "interfere with or obstruct the ability of the U.S. or an associate nation to prepare for or engage in war or defense activities." Clearly, such language would make every public demonstration, no matter how peaceful and orderly, subject to potential criminal sanctions. (Sec. 1111; p. 64)

DEATH PENALTY. Attempts to circumvent the 1972 (Furman v. Georgia) Supreme Court decision which held that capital punishment was cruel and unusual punishment because it had been "so wantonly and so freakishly imposed." (Mr. Justice Stewart, concurring.) Would provide mandatory executions for certain crimes under certain conditions. (Chapt.24; pp. 194-98)

ENTRAPMENT. Permits conviction of defendants for committing crimes which they were induced to commit by improper pressures of police agents. Puts burden on defendant to prove that he was "not predisposed" and was subject to "unlawful entrapment." (Sec. 551; p. 59)

94TH CONGRESS
1st Session

S. 1

A BILL

To codify, revise, and reform title 18 of the United States Code; to make appropriate amendments to the Federal Rules of Criminal Procedure; to make conforming amendments to criminal provisions of other titles of the United States Code; and for other purposes.

By Mr. McCLELLAN, Mr. HRUSKA, Mr. BAYH, Mr. EASTLAND, Mr. FONG, Mr. GRIFFIN, Mr. MANSFIELD, Mr. MOSS, Mr. SCOTT of Pennsylvania, Mr. TAFT, and Mr. TOWER

JANUARY 15, 1975

Read twice and referred to the Committee on the Judiciary



SEDITION. Redrafts 1940 Smith Act, made inoperative by 1957 Supreme Court decision (Yates v. U.S.). Provides up to fifteen years' imprisonment and/or up to one-hundred-thousand dollar fine for allegedly inciting "other person to engage in imminent lawless conduct that would facilitate" the destruction of the federal or any state government; and, up to seven years' imprisonment and/or up to one-hundred-thousand-dollar fine for participation as an active member in a group that the defendant "knows" has such a purpose. (Sec. 1103; pg. 64) When combined with the criminal conspiracy and solicitation sections, the jeopardy to protected speech is further increased. (Secs. 1002-1003; pp. 60-61)

SECRECY. Sec. 1122 provides from seven to fifteen years prison and up to one-hundred-thousand-dollar fine for communicating "national defense information" to a person "who he knows is not authorized to receive it." (Daniel Ellsberg and Tony Russo?)

Sec. 1123, under the euphemism "Mishandling National Defense Information," provides for up to seven years in prison and/or up to one-hundred-thousand-dollar fine for a person who receives "national defense information" and "fails to deliver it promptly" to a federal agent. (pp. 69-70) (The New York Times or Unitarian-Universalist Beacon Press re Pentagon Papers?)

Sec. 1124 would extend the suppression of information to its ultimate length, providing three to seven years' imprisonment and/or up to one-hundred-thousand-dollar fine for passing "classified information" to a person who is not authorized to receive it." (p. 70)

OBSCENITY. Freezes into statutory law recent restrictive decisions of the Supreme Court in this area. S. 1 would permit the invocation of federal law enforcement against the most trivial local transactions. It precludes as a defense that the material in question might be lawfully produced and distributed under the relevant state laws. (Sec. 1842; pp. 177-78)

SENTENCING. Contrary to the Brown Commission's recommendations, S. 1 provides for very high maximum penalties, a parole component in addition to the prison maximum, and fewer limitations on the use of consecutive sentences. S. 1 also makes parole and probation harder to obtain and requires mandatory minimum sentences in certain instances, thereby eliminating judicial discretion and exacerbating the problems resulting from high maximum sentences. (Part III, pp. 182-194, also Sec. 1811, p. 166 & Sec. 1823, p. 171.)

CONTEMPT. Penalty for refusal to cooperate with congressional committees, e.g., Senate Internal Security Subcommittee, is increased from one year in prison and a thousand-dollar fine to three years and/or one hundred thousand dollars. (Sec. 1333; p. 93)

ILLEGAL EVIDENCE. S. 1 incorporates provisions designed to make "voluntary" confessions admissible even if obtained by secret police interrogation in the absence of counsel and warning prescribed in the Miranda case, and provisions designed to assure admissibility of eyewitness testimony regardless of prior police irregularities in suggesting identification. (Secs. 3713-14; pp. 273-74)

NURENBERG DEFENSE. Would inhibit prosecution of wrongdoing by "public servants" if illegal conduct is result of "mistaken" belief that it was "required or authorized," or based on "written interpretation issued by the head of a government agency" (e.g. from a President?). (Secs. 542, 554, & 552; p. 57-59)

INSANITY. S. 1 represents an important regression from existing law. It admits insanity as a defense only if the insanity caused a lack of "the state of mind required as an element of the offense charged. Mental disease or defect does not otherwise constitute a defense." To fail to accord such a defense is to ignore the relevance to guilt of moral responsibility and power to choose.

MARIJUANA. Possession of the slightest amount for personal use entails thirty days' imprisonment and/or ten-thousand-dollar fine; second offense increases to six months and/or ten-thousand-dollar fine.

Kirkpatrick Sale: Nixon and the Cowboys

By BILL TYROLER
of the Fine Arts Staff

POWER SHIFT: The Rise of the Southern Rim and Its Challenge to the Eastern Establishment, by Kirkpatrick Sale; Random House, 362pp, 1975.

The "Southern Rim" stretches from North Carolina in the East to the southern half of California in the West, being comprised of thirteen states—those generally thought as Deep South and Southwestern—and parts of two other states (California and Nevada). In Kirkpatrick Sale's words the Southern Rim is bound by "a climatic, historical, and cultural cohesiveness, that serves to set this broad band off from the rest of the country in many ways."

Sale has political motives for this geographical excursion: The Southern Rim (Cowboy states, roughly speaking) are locked in struggle with the Northeast (Yankees) for hegemonic control of the entire country. Hence the title of this book, which refers to the decline of the Yankee states and the new-found supremacy of the Cowboys. Sale is thus describing nothing less than a fundamental split in the American ruling class, a power shift of "historic proportions," an understanding of which helps explain events of the past thirty years.

THE RISE AND FALL of Richard Nixon gives focus to Sale's argument. Nixon, born and reared in southern California and educated in North Carolina, was Rimian born and bred. He was also astute enough to perceive the growing electoral strength of the Rim and to parlay a crass Southern strategy that appealed to the lowest common denominator of that region, into a presidential victory.

Nixon's ascendancy marked a converging of Rimian political and economic power and represented a watershed of the power shift era. The Rim is built on six "economic pillars": agribusiness, defense, technology, oil, real estate and leisure. Nixon pandered to, if he didn't actually front for, these interests. Sale sees Nixon's imperious rule as continuously paying homage to Cowboy strategy through cutbacks in welfare, increases in

defense, denunciations of school integration, paeans (and vast expenditures) to law and order, carpet bombings, secret wars, etc. Nixon also managed to draw to the White House a tight coterie of sleazoid characters, most notably Bebe Rebozo, with embarrassing Mafia ties and inextricable links with the Rim.

Nixon's character is rooted in the historical conditions from which he arose. The Southern Rim is an attractive source of investment capital, much of it of recent vintage; in short, there's a lot of money to be made in the Rim's six economic pillars. The region is thus geared to speculation, causing a "growth culture," with a growth-oriented mentality. Like the Yankee robber baron and monopolization era of the past century, the rise of Rimian hegemony has attracted every manner of hustler and financial pimp. This would include the Mafia, with strongholds in Las Vegas, New Orleans and Texas, among other Rim spots.

In Sale's estimation, the Rim is still close to a frontier tradition, where everything and anything goes, where a "whirlwind economy" sweeps people above honesty, creating "a society where restraints are likely to be slack, the moral bonds unfirm, and sanctions against ethical abuse far fewer and less often applied to." It is also Nixon's spawning ground, "inevitably" stamping his character with its "mercurial, restless" mold.

NIXON'S FALL IS also explainable in power shift terms. Briefly, the Yankees, seeing that Nixon had consolidated power and fearful of losing their long-held preeminence, successfully counterattacked. As Sale puts it, when the dust settled Nixon had been ousted in disgrace and the Yankees were back in the saddle with Ford and Rockefeller. But the Rimian economic base, rooted in agribusiness, oil, and the other pillars, was secure, and Rimian political interests were ably represented in the person of Presidential candidate Ronald Reagan.

Thus, as Sale predicts, the Cowboys will probably resurge to prominence and they will likely return with their Mafia ties, amorality and frontier lust for

untrammelled expansion.

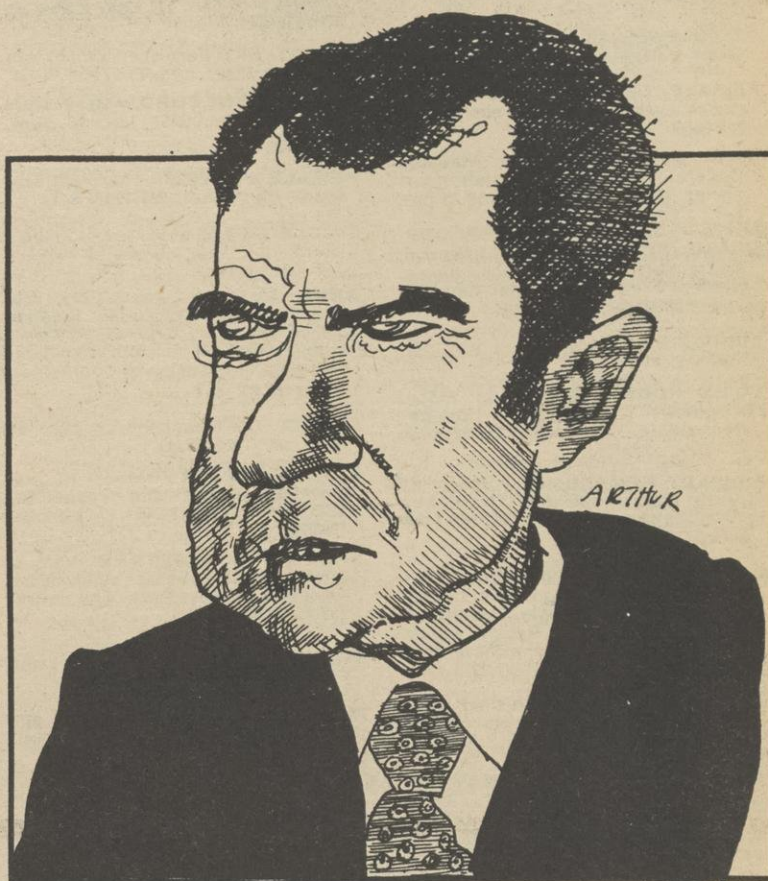
In writing this book, Sale has cashed a check drafted by Carl Oglesby, original proponent of the Cowboy-Yankee theory, but the debt is acknowledged only in passing. While Oglesby is possessed of genius that drove down the back streets of paranoia, Sale has clung safely to a middle of the road version of Oglesby's theory. While Oglesby, for example, attributes Nixon's ouster to high-level Yankee policy (not to say conspiracy), Sale portrays the counterattack as "not a thing but a process, not a plan but an eventuality."

Despite Sale's mass audience approach, doubts linger, although an anecdote in Gerard Colby Zilg's *DuPont* inadvertently illustrates the potential significance of Sale's thesis. As Zilg recounts, by 1970 H. Ross Perot, Texan Cowboy, had guided Electronic Data Systems Corporation to big-time earnings, making Perot a billionaire. Around this time, E. I. DuPont & Company, second largest brokerage house on Wall Street and one of the flagships of the declining Yankee DuPont empire, was overextended and near collapse. Sensing easy meat and driving a hard bargain, Perot wedged his way into the firm, pouring capital into it and forcing the DuPonts out for the first time in the family's history.

THERE WAS NO love lost between the two factions, either. "Perot made no bones about his nouveau riche resentment for 'those people who have never worked.'" For their part, the DuPonts did not react gracefully to the guileful Texan's maneuvers, making sure that Perot sank \$64 million into the business before he, in turn, had to bail out.

Such feuds as these may be more than minor in-fighting among the rich. It may be that the ruling class suffers dislocations rooted in conflict of a geo-political nature and lossely characterized as Cowboy vs. Yankee. But there should be a caveat against viewing this theory as anything more than a very generalized construct.

Take, for example, the Bohemian Grove, a rustic retreat near San Francisco for the very



rich who gather there in large numbers to map business and government policy. It is Cowboy country and the Grove's largest membership, unsurprisingly, is from California. However, 40 states are represented, with Yankee states New York, Illinois and Ohio in the top five in membership and the Deep South bringing up the rear.

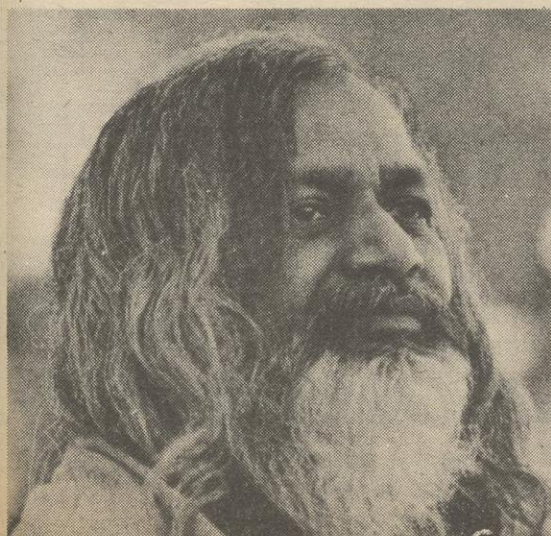
The Bohemian Grove and similar other retreats are evidence, in G. William Domhoff's words, of a national upper class, meaning that "wealthy families from all over the country... are part of interlocking social circles which perceive each other as equals, belong to the same clubs, interact frequently, and freely intermarry." An upper class, in short, marked by cohesiveness.

Part of the problem in understanding our present social condition is that the definitive book on the American ruling class has yet to be written. In the meantime, one suspects there are elements of truth in both the Oglesby/Sale and Domhoff theories and that they are susceptible to reconciliation, that despite real internal conflicts which periodically erupt, enough of a consensus generally exists among the ruling class to cut across regional lines and give it a national character.

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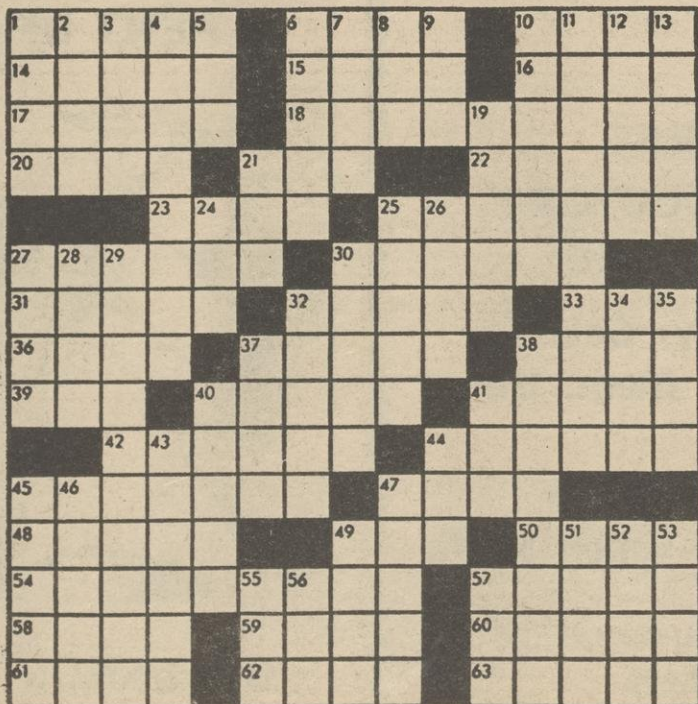
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- 21 Sea: Prefix
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- 23 Observer
- 25 With ice cream: 3 words
- 27 Worked very hard
- 30 Took a kind of picture
- 31 Weighed down
- 32 School periods
- 33 Cake frosting
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- 37 Ancient Nile kingdom
- 38 Searching look
- 39 Telegram: Abbr.
- 40 Chest sounds
- 41 Remain stable
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- 47 Usual fourth down play
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- 59 She died: Latin
- 60 Angry
- 61 Winter toy
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- 63 Literary work DOWN
- 1 Air pollution
- 2 Herring
- 3 Military group
- 4 Separate
- 5 Airline for San Antonio
- 6 Arbor
- 7 Steel girder
- 8 High rock
- 9 Tree
- 10 Biblical dancer
- 11 Loosely connected
- 12 Pointed a gun
- 13 Singer Della
- 19 Earthy materials
- 21 Medicine: Abbr.
- 24 Year: Informal
- 25 Architectural ridge
- 26 Prayer wheel user
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- 28 Fabric
- 29 Corrupt
- 30 Sailing vessel
- 32 Flower
- 34 Negative contraction
- 35 Terminates
- 37 Indo-Malayan animal
- 38 Stammers
- 40 Calgary Stampede, e.g.
- 41 Male descendant
- 43 Leased
- 44 "Mississippi"

- 45 Male animals
- 46 Subject to punishment
- 47 Actress Zazu
- 49 Great land mass
- 51 "---- sure as I can be"
- 52 List of names
- 53 Comply with a request
- 55 Crowd into a place
- 56 African native
- 57 Expire

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"Sometime Sweet Susan": is there love after sex?

By JAMES CORTESE
of the Fine Arts Staff

The inevitable has finally happened: porn has been wedded to schlock to produce one of the first examples of hard-core melodrama, *Sometime Sweet Susan*. The film, with very little else to recommend it, is unique in its assumptions that an audience may not really care to see mechanical, clinically portrayed, bizarre varieties of sexual activity, but that it would very much like to be turned on to some nice on-screen balling depicted (as the ads say) "the way you want it to be."

And in this, the film is somewhat successful. Except for a low-keyed prostitution scene, the love-making is all good-natured, wholesome and fun. Perhaps the sensibilities of a prude might be offended. Although we never see the inner dynamics of love relationships, the film does go out of its way to show that the coupling couples care for each other. Granted this is done by having the characters engage in spirited games of frisbee, whisper romantic cliches,

clasp hands in front of canoes, etc., but the erotic effect is a considerable improvement over the perfunctory preparations (which fool no one) seen in your usual grunt and come blue movie.

Still, plot takes a back seat, so to speak, to the business at hand: coitus. The story (which concerns a woman with a split personality) is ineptly told, silly, and an obvious pretext for investing the characters with personality. Perhaps about thirty percent of the film is given over to non-sexual scenes, which come like interludes between lengthy, and often narratively illogical, bouts of sex, photographed explicitly but with discretion (if that's possible) while lush music swells romantically on the soundtrack.

NOW THE PROBLEM with this is us. Our culture, unlike that of some non- or pre-Christian civilizations, has been thoroughly invested with moral guilt in matters of sex. This is no news to anybody, but it is also true in a more covert way: that our notions of romance, though secular, are still informed by repressive

taboos. In its purest form romance is anti-sexual and aspires to platonic ideals. Whereas sex can be elevated to a religious value (as in India) or seen as a natural component in human relations (as in pagan Rome), we prefer to relegate it to the outhouse. Thus, it is with some difficulty that we try to join the animal postures and movements of the sexual act with our ideas of love. Moreover, though we don't see sex per se as pornographic (well, most of us, anyway), we do view its presentation in art this way—which is a further hindrance to our being able to take it as something more meaningful than merely a stimulus for titillation.

A further problem is that producers of films have, until now, used explicit sex only to arouse an audience. But such single-minded portrayals of sex, upon repetition, become boring once the shock of seeing taboos broken has worn off. The producers are really not the ones to blame here. They are merely taking advantage of our culture's

hang-ups. Even if the intention of a sexual scene were of the highest moral order (say, something taken from *Masters and Johnson* film), we would persist in seeing it as obscene. We have no choice; our heads are programmed that way.

A lot of *Sometime Sweet Susans* are going to be made before sex becomes respectable in film, before it becomes capable of the same kind of seriousness with which we approach it in other forms of art (literature, painting, sculpture). Somewhere along the way, we will have to re-evaluate what we mean by prurience, and that will mean accepting our bodies as our friends.

WTA RUMMAGE SALE

Women's Transit Authority is holding a combination rummage and bake sale on Saturday, Dec. 13

Anyone wishing to donate their rummage for the sale can leave it at any of the following places: University YMCA, 306 N. Brooks, Whole Earth Co-op, 817 E. Johnson, or Common Market, 1335 Gilson.

brief

DANCE

The UW Dance Division presents its graduate dance concert, "Illusions of the Air," in two different programs. One program will be presented Friday and Sunday evenings, December 12 and 14, the other on Saturday and Monday evenings, December 13 and 15. The concerts will take place at 8 p.m. at 549 Lathrop Hall. Tickets for the event are on sale at 136 Lathrop and the door for \$1.

ED-CERTIFICATION

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'New' Brey aids in Badger victory

By CHUCK SALITURO
Sports Editor

Pete Brey doesn't like to think about his performance last year as a member of the Wisconsin basketball team.

And Monday night at the Fieldhouse he took a major step in blotting it out of his memory forever as he came off the bench in reserve of starting center Bob Johnson and an injured Al Rudd to help lead the Badgers to a 97-77 victory over Northern Illinois.

WISCONSIN WAS forced to play

most of the second half without Johnson when the senior fouled out with 16 minutes and 2 seconds remaining in the game.

Rudd watched the game in street clothes from the bench after spraining his left ankle in the warm-up drills.

That set the stage for Brey, who came in the score ten points and grab 11 rebounds.

Last year when Brey was asked to fill in for the injured Dale Koehler, he was not so successful.

In fact, Wisconsin Coach John

Powless remarked after Monday night's victory that Brey "went 2-29 (from the floor) in his first three games in the Big Ten."

BREY ATTRIBUTED his sudden success to a new shooting style and a new attitude.

"I was getting too high on my jump shot," said Brey, explaining his poor performance last year.

"I was trying to get too high instead of concentrating on shooting. I was never down on myself last year, but I lost confidence in my shooting."

"I just came back with the attitude that it was a brand new year, and said to myself 'let's see what happens.'"

Brey's performance is typical of the fine play that Powless has been getting from his bench in all four Badger victories this year.

"OUR DEPTH helped us," Powless said. "Brey did an excellent job of coming off the bench. He has more confidence now. Pete is not a raw talent jumper. Last year he tried to jump-shoot. This year he's taking more of a set shot."

Brey's new found confidence has also helped him rebound better. "I'm getting better position and going after the ball now," he said. "I'm asserting myself more."

The Wisconsin Rapids native finds it easier to assert himself coming off the bench. "I'd rather come off the bench and play," he said. "I even enjoy being on the bench and communicating to the players what's going on."

The Badgers took control of what was going on in the game when they broke open a relatively close contest late in the first half with ten straight points.

DALE KOEHLER, as usual, led the Badger attack with 20 points and 19 rebounds, and was aided by guard Tim Paterick, who added 14.

The Badgers' spurt in the last two minutes of the first half featured a fast break offense in which the team ran well. However, Powless said that Badgers were hampered by playing their first four games in a

nine-day span.

"We were a little tired mentally to say the least," Powless commented. "We showed it by our traveling violations in the first half."

Matt Hicks, who kept Northern Illinois in the game in the first half by scoring 18 points, finished with 34, but most of his 16 in the second half were when the game was way out of reach for the Huskies.

RUDD'S STATUS is still in doubt, and Dr. William Clancy, the Badgers' team physician, said he would have to wait until today to make a final judgement.

NORTHERN ILL. 77

Hicks 16 2-6 24, Harris 3 0-0 6, Jm Dixon 11 2-3, Walter 3 2-3 8, Valaika 7 0-14, Kloak 1 2-5 4, Dawkins 1 0-0 2, Ashford 2 0-0 4, Booker 1 0-0 2, Adams 0-0 0. Totals 35 7-16.

WISCONSIN 97

Koehler 8 4-16 20, Pearson 3 6-7 12, Johnson 3 0-0 6, J Smith 4 0-0 8, Falk 2 4-8, Colbert 3 1-2 7, Paterick 5 4-6 Brey 3 4-6 1, Hardy 2 3-4 7, Anderson 1 0-0 2, B Smith 1 1-3 3, Newburg 0 0-0. Totals 35 27-39.

Halftime: Northern Illinois 46, Wisconsin 33. Total fouls: Northern Illinois 28, Wisconsin 20. Fouled out: Hicks, Harris, Johnson. A: 3,453.



Michael Kienitz

SURROUNDED—Northern Illinois' Matt Hicks (34) appears to have a few obstacles between himself and the basket, namely Wisconsin's front line of Bill Pearson (45), Bob Johnson (50) and Dale Koehler (far right).

Swimmers rely on youth

By MARK MILLER
of the Sports Staff

The Wisconsin men's swimming team began its 1975-76 season by winning its first two meets.

The team placed first in the Big Ten relays at Northwestern on November 22, and took first in a triangular meet November 25 at the Natatorium.

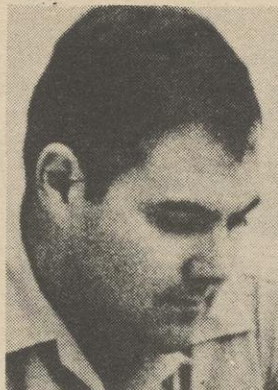
The swimmers, coached by Jack Pettinger, won 12 of 13 events at the Big Ten relays. Illinois finished second in the meet as five of the Big Ten schools participated.

Having started practice back in early September, the team had plenty of time to prepare for their opening meets.

This year's squad will look only somewhat like the team that was runner-up to Indiana in the Big Ten last year. With eight members of that 18-man squad graduated, the Badgers will have some rebuilding ahead of them.

However, Pettinger emphasized though that he wasn't looking at this year that way.

"While we are looking to build for the future," he said, "we still



JACK PETTINGER

will try to capitalize on our assets this year and go with what we have."

Pettinger does have some pretty good assets back for this year's team. Heading this year's team will be senior co-captains Gil Cyr of Waterbury, Conn. and Brad Hoerner of Madison. Cyr is a diver who was a finalist in the Big Ten meet last year and finished third. Hoerner won a gold medal in 800-meter freestyle relay and the 4 x 200 freestyle relays at the Pan American games in October.

Others returning this year include back-strokers Mike Imhoff and Ben Taylor, both juniors; breast-stroker Todd Sievert; divers Cyr, Larry West, and Randy Bruce, the last two being sophomores; butterflyers Hoerner and Mike Kearney, the latter a sophomore; and individual medalist Atley Melberg, junior from Norway.

Included on this year's team is a fine crop of 12 freshmen led by all-stater Jeff Marohl of Wauwatosa.

It is these freshmen who Wisconsin will count on now and in the future. Pettinger said of his freshmen, "Some are good right now and others have a lot of potential for the future. Marohl is one of the best individuals we've ever had." Pettinger listed Andy Moore and Gunnar Gunderson as freshmen who can do the job now.

The Badgers, who have their next meet this Friday at Iowa State, will begin Big Ten duel meet competition January 9 and 10 here against Michigan and Michigan State, respectively.

Wolverines best of 'Little Nine'...

By CHUCK SALITURO
Sports Editor

As everybody knows, in Big Ten football there are two basic cliques—the "Big Two" and the "Little Eight."

Well with a slight twist the same holds true for Big Ten basketball. There is Indiana—the "Big One," and there are the rest of the teams—the "Little Nine."

THE MICHIGAN basketball team has a special place in this lopsided scheme. The Wolverines are a team with talent, they are a team with a winning tradition, and a team that always is able to recruit good players.

However, Michigan does not appear to be a team that will challenge the No. 1 rated Hoosiers. The Wolverines are a notch below—the biggest of the "Little Nine."

Yet, the biggest of the "Little Nine" may be the lightest, height-wise, in the Big Ten. Coach Johnny Orr, who used to assist Coach John Erickson at Wisconsin, starts three 6 foot 2 inch players—Wayman Britt at forward and Steve Grote and Rickey Green at guards.

ORR SAYS that Britt is "a tremendous defensive player, a great leaper and a fine leader. That's why he's our captain." Grote is the playmaker on the team, and also a good defensive player.

When Orr was asked who was his defensive specialist, he quipped, "It sure as hell isn't Rickey Green. He's our offensive specialist. He does somethings I don't like, but as long as the ball goes in the hoop I don't say anything."

Green transferred this year from Vincennes (Ind.) Junior College, where he was an All-American with a 21 point average. He is a newcomer, who Orr is counting on heavily as is the case with the Wolverines starting center—freshman Phil Hubbard.

"He's the smallest center in the league," Orr said of the 6-7 Hubbard. "But if he's not the quickest center, he's one of the quickest. If he can stay out of foul trouble he'll be all right."

JUNIOR JOHN Robinson (6-6) will start at the other forward, but Orr says if some of his other rookie phenoms develop "we could be starting three freshmen by the time the Big Ten season rolls around."

"If they (the freshmen) do develop we can be very good," said Orr, whose team is now 1-1 for the year after losing Saturday to powerful Tennessee, 82-81.



... while MSU 'struggles' along

By JEFF CESARIO
of the Sports Staff

On January 3rd, way out in the middle of Christmas vacation, Wisconsin opens its Big Ten basketball season against the Spartans of Michigan State, and that opener may turn out to be one of coach Gus Ganakas' easier games.

"We're gonna struggle to win games," said the Spartan coach, now in his sixth year at MSU. "We've got speed and quickness again, but we're going to have to be aggressive."

THE SPARTANS, 17-9 last year, are coming off their most successful season in a decade. Yet Ganakas only has one experienced starter coming back, standout forward Terry Furlow. The Spartans finished last in Big Ten defense last year, but compensated by finishing second in offense, a feat Ganakas does not see repeating itself.

"We're faster than last year," Ganakas reasoned, "but I don't think we've got the perimeter shooting." Ganakas is looking to guards Bob Chapman and Ben White in hopes his prediction will prove false. Cedric Milton should get the starting nod at center, though senior Lovelle Rivers and freshman Tanya

Webb should also see action. Junior Forward Edgar Wilson could give the Spartans added stability and leadership, and he joins captain Furlow on the baseline.

Furlow led the Big Ten in individual scoring last season, posting a 21.4 points-per-game average, and his Spartan teammates may be even more likely to turn to him when the going gets tough this year.

"We look to Terry for leadership," said Ganakas. "He's our captain. He's the hardest working athlete I've ever had."

GANAKAS hopes to improve his team's defensive performance, and points to league favorite Indiana as an example. "They've been a good influence for defense...there's more desire to play it and play it well."

With graduation having taken a heavy toll, the young Spartans will have to use raw speed, good team defense and consistently solid shooting to make up for the lack of veteran leadership and poise. These aspects of the game may be difficult for them to master.

The prophetic Ganakas may have summed his season up better than most with his casual, off-hand comment: "The person I'm most pleased to have back is myself."