

## *Full employment: promise & problems*

by MARJORIE GELLERMANN

A useful test of any idea or proposal is to see who opposes it. The opposition to the Full Employment and Balanced Growth Act of 1976 (or the Hawkins-Humphrey Bill as it is more popularly known) is distinguished—Gerald Ford, William Simon, Herbert Stein, the editorial page of the *Wall Street Journal*, and the United States Chamber of Commerce. In other words, its opponents are a gaggle of those who achieved the heretofore unachievable—both high unemployment and high inflation, and who now seek, on the one hand, to define “full employment” as 6 or 7 percent unemployment, and, on the other hand, to tell us that the problem is “not so bad” since recent unemployment figures include a high percentage of the young, the black and the female who have the audacity to want to work!

But an array of reactionary opponents does not make Hawkins-Humphrey a bill meriting unequivocal support. (In the nearly three years since its initial introduction, H.R. 50 has gone through many revisions, and no doubt will go through many more. The version here described is the bill reintroduced on March 10, 1976.) Basically, the bill establishes for all adult Americans who are able, willing and seeking to work, the right to opportunities for useful paid employment at fair rates of compensation. To support that right, the act commits the government to some steps toward limited management of the economy. An institutional framework involving the President, Congress and the Federal Reserve Board is established, as well as specific unemployment programs designed to achieve the goal of 3 percent unemployment within four years. The President is required to submit annually to Congress a Full Employment and Balanced Growth Plan:

- setting specific targets for full employment, production and purchasing power;
- proposing fiscal and monetary policies to promote full employment and balanced growth;
- recommending policies and programs to prevent or combat inflation;
- describing priority policies and programs;
- and promoting governmental economy and efficiency. In addition to an expanding role for the Council of Economic Advisers, a separate 12 member Advisory Committee is established. Specific programs are proposed to reduce unemployment resulting from cyclical,

structural, regional and youth factors, as well as unemployment caused by discrimination. As a last resort, reservoirs of job opportunities are to be established. Finally, an elaborate procedure for Congressional review and adoption of the President's plan is established.

### **A revived debate**

Most important is the fact that the bill *is*. Its existence has brought about more consideration of the issue of full employment than at any other time since the debates of 1944-46, which produced the toothless Employment Act of 1946. The major Democratic Party candidates (and, of course, Humphrey) have endorsed the bill; it is the first priority of the Congressional Black Caucus; various women's organizations, church groups

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## **'Ethnic purity'— sending a message?**

by JACK CLARK

Jimmy Carter's abominable choice of words in a speech in Indiana on April 6 unleashed the first major controversy of this campaign year. All the Democratic candidates have been heard from; President Ford has jumped into the fray, defending the concept of “ethnic heritage”; and the columnists and commentators have chewed over endlessly the meaning of it all.

With all the speculation about the motivation of the statement (and Morris Udall has a point that Carter made a beautifully timed slip of the tongue—too late to hurt him in the New York primary where Brooklyn's black political machine was pulling its vote for him but just in time to “send a message” to the suburbanites in Pennsylvania, Michigan and Indiana), there has been damn little attention to the policy implications of the debate.

Basically, all the candidates have tacitly agreed that American housing patterns must and should remain segregated. Each has promised, through this or that dodge or an explicit commitment to ethnic homogeneity, that the power of the federal government in the 1970's and 1980's should not be used to correct what the power of the federal government has helped create.

Jackson, who has made his agreement with George Wallace's busing views explicit, found Carter's state-

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## Ethnics . . .

(Continued from page 1)

ment "incredible." As the early press reports noted, he didn't say why. Udall, after lambasting Carter's vocabulary, retreated to the substance of Carter's position. Asked his position on *scatter-site* housing, Udall replied that he was against building *high-rise*, low-income projects in middle-class neighborhoods. Ford's sanctimonious defense of ethnic heritage is perhaps most laugh-

### Legal alternatives

Law students are being told that opportunities are drying up, that public interest work is out of the question, that job competition upon graduation is intense.

The second Conference on the Alternative Practice of Law on March 20 at the University of Michigan addressed itself to answering that refrain for the more than 150 students who attended. Organized by first year law students, with the help of the placement office, the conference sought to explore alternatives to corporate practice, alternatives which put people before property.

The conference featured more than 50 attorneys and legal workers who participated in 23 workshops on topics like "law collectives," "tenant-landlord law," "women's rights," and "mass political defenses." Speakers were chosen to present living proof that lawyers can choose to practice in humane and socially responsible ways and still make a decent living. Those of us who organized the conference published a sixteen page booklet listing the names, locations, types of cases handled and recruiting procedures of conference participants.

Organizers of this year's conference followed a model set by last year's successful conference. Similar conferences on the alternative practice of law have been held at Wayne State University and at Case Western Reserve; and the National Lawyers' Guild often holds workshops on alternative legal practice at its regional and national meetings.

What's it all accomplishing? I know that people here at Ann Arbor left with a good education in the possibilities of practicing law in a way which furthers social change. Just bringing some people together and keeping alive the idea that you don't have to sacrifice your political beliefs to make a living in the legal profession—that's an important contribution to overcoming the current political apathy on the campuses.

More information is available from Alternative Practices, c/o National Lawyers' Guild, Room 110 Hutchins Hall, University of Michigan Law School, Ann Arbor, Michigan 48109.

—RICK McHUGH

able—except that it comes from the Chief Executive. Where was the noble concept of ethnic heritage when federal urban renewal programs bulldozed stable neighborhoods in the 1950's and 1960's? Why weren't these same demagogues protecting ethnic heritages when the federal highway program and federal housing programs sucked middle-class ethnics out of the cities? When did suburbs become strong ethnic communities, anyway?

It's all nonsense, but it's pernicious nonsense. And even if no one has taken a better position than Carter, he (along with Ford) still deserves the bad press he's received on the issue. Carter, after all, true to his consistent anti-Washington theme, began the whole brouhaha by summoning up once again the myth of an all-powerful and malevolent federal bureaucracy recklessly engaged in social engineering experiments like integration. He would protect the neighborhoods from such "injecting of alien ethnic groups" (not such a nice choice of words, either!). His Administration would abandon these ambitious and futile schemes.

Except that a Carter Administration won't be able to abandon the sweeping federal programs for residential integration. These programs can't be abandoned because they've never existed.

What has existed—and existed continually and still exists in fact if no longer in law—is a comprehensive system of federal policies, local edicts and realtors' schemes to enforce segregation. FHA mortgages had specific anti-integration guidelines as did VA and other housing programs. Block-busting by local realtors, even after passage of federal civil rights statutes, was and is tolerated. Inner-city highways criss-cross and encircle to isolate minority neighborhoods. Enforcement of open housing laws is nearly non-existent.

We've been asking the candidates the wrong question. Instead of asking them whether they favor this or that action to promote integration, we should pose it as: do you favor the continued use of government to promote and reinforce residential segregation? Any candidates want to run against Washington on that one?

Newsletter of

### THE DEMOCRATIC LEFT

Michael Harrington, *Editor*  
Jack Clark, *Managing Editor*  
Gretchen Donart, *Production Manager*

David Bensman, Alan Gartner, Bertram Gross, David Kusnet, Selma Lenihan, Ben Ross and Nat Weinberg also helped to put out this issue.

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# New political rhetoric: cruelspeak

by ERICA BLAIR

A top New York City official is urging that schools, sanitation, police and fire protection be "thinned out" in poverty areas for the explicit purpose of depopulating them.

Explaining the plan, Housing and Development Administrator Roger Starr told the *New York Times*' Joseph Fried: "We have some areas that are already shrinking in population, and our policy should accelerate that shrinkage."

Predictably enough, Starr's modest proposal has come under heavy fire from the poor and their advocates. "Planned shrinkage" was attacked by Congressman Herman Badillo, whose South Bronx district Starr had cited as shrinkable, and Gordon Davis, the only

## Summertime . . .

The June issue of the NEWSLETTER will appear mid-month so that our articles and analyses can be geared to the Democratic National Convention in early July.

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black member of the City Planning Commission. And, in language as tough as any used in New York or elsewhere, Pratt Institute's Ronald Shiffman declared, "Until Administrator Starr, proponent of the genocidal program of shrinkage, is removed from office, the city will be unable to make any progress. . . ."

A case could be made for Starr's program (although Starr hasn't made it). Cutbacks in public services are inevitable during New York's fiscal crisis, and they might best be concentrated in areas whose populations are declining. Moreover, a public improvement, whether a new school window or a park, is more likely to be vandalized in the burned out South Bronx than in the equally needy, but more community-spirited, Lower East Side.

The question arises why Starr phrased his program in terms apparently calculated to offend the poor and their advocates. Starr, after all, is a literate and liberal bureaucrat who has written books on the housing crisis, taught at New York University, contributed to the *Public Interest*, and, in better days, entertained reporters with tales of his youthful days as a socialist and an aspiring novelist. He is as sensitive to the use of language as his colleagues in the Beame Administration are to the disposition of patronage jobs.

The explanation, I suspect, tells as much about some recent changes in official rhetoric as about the slow death of our cities. In his classic essay, "Politics and the English Language," George Orwell wrote: "In our time

political speech and writing are largely the defense of the indefensible. . . . Thus political language has to consist largely of euphemisms, question-begging, and sheer cloudy vagueness." Orwell's dictum held true in America during the '50's and '60's, when tearing down people's homes in our cities was called "urban renewal" and napalming the villages of Vietnamese peasants was called "pacification."

But, in the current era of assaults on public services, many officials are explaining their policies in terms such as "planned shrinkage" that make them sound fully as bad, or even worse, than they really are. In an admiring interview with *Newsweek*'s Peter Goldman (Dec. 15), California's Governor Jerry Brown fairly gloated that he has cut back programs for emotionally disturbed youngsters. In his National Press Club speech opposing federal aid to New York City, President Ford warned, "There is no painless cure" for municipal financial problems and proscribed a heavy dose of suffering. And, in his State of the State message Jan. 7, New York Governor Hugh Carey boasted that his austerity program contained "no politics, only pain."

Pain, shrinkage, and depopulation are popular imagery in the oratory of public officials who, for the most part, are not demagogues of the far Right but instead would characterize themselves as reasonable men of the center. As a rhetoric of bureaucratic cruelty replaces Orwellian Newspeak as the official language of our politics, one wonders whom our leaders believe must be reassured that the poor are more miserable than ever. To what gallery—the media, the bankers, Wall Street, or their own perception of the middle class—are the politicians playing? □

## ERA mobilization

The National Organization for Women is planning a massive mobilization for the ERA in Illinois for May 15-16. According to NOW activist Mary Jean Collins, the action will consist of a day of canvassing and petitioning door to door in state senatorial districts followed by a speak-out and rally in Springfield. Last year, the ERA passed the Illinois House of Representatives but failed by three votes in the Senate. According to Collins, teach-ins and fund-raising are already underway to help mobilize thousands of women for the effort. Plans are in the works for an "ERA Special" train from New York to Chicago, picking up supporters along the way.

The rally has been endorsed by local Coalition of Labor Union Women chapters, the League of Women Voters, the Young Women's Christian Association, the National Women's Political Caucus and the American Jewish Committee. If you're interested in attending, contact your local NOW chapter for transportation arrangements.

—GRETCHEN DONART

# Assessing Kissinger's red nightmare

by MICHAEL HARRINGTON

As the Italian Communist Party (PCI) approaches its goal of the "historic compromise," which would bring it into the government, events in Italy are becoming a campaign issue in the U.S. elections.

There are two quite different problems to be faced:

- whether the United States should, overtly or covertly, try to keep the Communists out of government or retaliate if the PCI does enter, and

- whether one should be hopeful that the historic compromise will open up new democratic socialist perspectives.

I find the first problem rather easy to deal with. Secretary Kissinger's heavy-handed threats will increase the Communist vote in Italy, antagonize the entire European democratic Left and confirm the most simple-

## Corporate consciousness: ideology II

"What will our society be like in 1985?" asked the *Harvard Business Review*. The *HBR* asked its readers to choose between two "opposing ideologies," the first what *HBR* calls "the traditional American way," with emphasis on the "values of individualism, private property, free competition in an open marketplace, and limited government." Ideology II, which the *HBR* labels as "communitarian" and defines as one in which the individual is "an inseparable part of the community in which his rights and duties are determined by the needs of the common good." In this kind of society, according to *HBR*, "government plays an important role as the planner and implementer of community needs."

Readers were asked to indicate which ideology they preferred, found dominant in the U.S. today, expected to be dominant in 1985, and believed would be more effective in solving future problems. Not surprisingly, two-thirds of *HBR* readers preferred Ideology I and 62 percent regard it as the dominant in the U.S. today. But 73 percent anticipate that Ideology II will dominate by 1985.

Though most respondents preferred the more individualistic Ideology I, about 38 percent believed the "communitarian" ideology would more effectively solve future problems, such as resource shortages, population growth, and environmental degradation. The majority of U.S. readers prefer Ideology I, while foreign readers—mostly European—favor Ideology II. Women of all ages and places tended to be more favorably disposed toward the "communitarian" ideology.

Some respondents asked why the questionnaire had focused on ideology; *HBR* replied: "A community that is unmindful of its ideology is apt to be misled by it. This is a problem for Americans. . . . Pretending to lack an ideology, we have ignored it."

—C.D.

minded conspiracy theses about American imperialism. Such a policy is worse than wrong; it is also stupid and counterproductive and even if one believes—which I do not—that the PCI's entrance into the Italian government would be a catastrophe, this is clearly the wrong way to oppose that eventuality.

Kissinger's Italian hysteria is very much like his reaction to events in Portugal during the last year as reported by Tad Szulc in a fascinating article in the winter issue of *Foreign Policy*. Very early on, Szulc shows, Kissinger gave in to despair, asserting that the Communists had already triumphed, and refused to give even political support to Mario Soares and the Socialists. Since Soares and his comrades did not want any secret American help, especially through CIA conduits, the outcome of Kissinger's mood might have been to the good. What is, however, disturbing, is the apocalyptic and Spenglerian mentality it suggests. And that would help explain the Secretary's clumsy over-reaction in the case of Italy.

But if it would be folly for the United States to engage in Kissinger's interventionism, what of the second question? Arthur Schlesinger, Jr., for example, agreed very much on the first count in a *Wall Street Journal* article; yet he had little hope that the historic compromise would mark a real turning point. For Schlesinger, the PCI simply has not changed that much from the bad old Stalinist days.

I disagree on a number of points. First, let me take up the negatives in my attitude, specifically the reason why I do not think the PCI's entry into government will lead to Stalinist dictatorship in Italy. Then I want to turn to the very real, and related danger that, in the absence of some form of the historic compromise, the Italian Right will triumph.

The PCI is a mass party which has made its gains precisely as it demonstrated a considerable independence from the Russians—on the invasion of Czechoslovakia in 1968, the treatment of dissidents in the Soviet Union, the role of democracy under socialism, and so on—and as it turned toward a kind of left social democratic political style. Using this approach, it has now captured roughly one-third of the Italian vote. It does not have the Red Army on the border, as the Czechs did in 1968; it does not have control of the army, or a section of it, as Cunhal did in Portugal. Assume the worst for the purpose of argument (but only for the purpose of argument): that the historic compromise is a tactic of wily totalitarians who are willing to give lip service to democracy in order to gain enough power to destroy democracy.

Even if this malevolent interpretation of the PCI's motives were true, it does not seem to me that the conditions for a minority seizure of power exist. The Party does not have the forces, military or paramilitary, for a coup; more importantly, its policies have hardly prepared its mass base for such a putschist move. Indeed the contrary is the case.

Secondly, but still focusing on the negatives, what

are the alternatives to the historic compromise? Italy is going through a particularly wracking variant of the capitalist world crisis. The Christian Democrats, even under the Center-Left formula, i.e. with the support of the socialists, have decisively demonstrated their inability to lead and they are, moreover, a party rife with corruption. If one quarantines a third of the Italian electorate, including some of the most important sections of the working class and intelligentsia, what options remain? A turn to the extreme Right. It is precisely an understanding of this point which has moved Berlinguer and the Communists to offer the historic compromise.

More positively, in Italy the specific historic circumstances give one reason to hope that perhaps there may be a very real, massive movement on the part of major

sections of the PCI in the direction of democratic socialism. And if I am right that there is no imminent, or even foreseeable, risk of the historic compromise leading to totalitarianism, it seems the best option.

The democratic Left in this American election must prepare to fight against anyone—Republican or Democrat—who tries to turn back to a Cold Warrior stance on this issue. The most compelling argument against that position is that, in addition to all of its grave political flaws, it is also stupid. Secondly, the socialist Left may have cautious hopes for a positive development in Italy, for a victory of democratic socialism over Stalinism. That the Italian Communists may be one of the main instruments of such a change will not surprise anyone with a sense of the irrepressible irony of modern history. □

## DEMOCRACY '76

The Democracy '76 project received many notable endorsements, began its appearance at regional Democratic Party platform hearings, laid final plans for the April 24 Los Angeles conference and began some cooperation with other groups working on the Democratic platform, all within the last month, according to project coordinator, Marjorie Gellermann.

In a new development, Democracy '76 activists in Oregon got sections of the statement adopted as the preamble to the labor plank of the state Democratic party platform. Dan Wolf, who organized the Democracy '76 effort at the state convention, explained that the sections calling for full employment, wealth and income redistribution and increasing democratic control over investment were incorporated into the platform.

On April 3 in Newport, Rhode Island, the Democratic platform committee began its regional hearings. Marjorie Gellermann testified for Democracy '76 on increasing democratic control of investment. Bill Gellermann presented testimony on federal chartering of corporations and democratic control in the workplace. Julius Bernstein submitted written testimony on behalf of the Boston Local of DSOC and John Cort testified for full employment. The regional hearings continue in Atlanta, Kansas City and Denver where we plan to have additional Democracy '76 testimony presented.

Perhaps most significant, Gellermann reports that she has been in touch with people from the liberal labor caucus, the Democratic Women's Political Caucus, Americans for Democratic Action, the Black Congressional Caucus and others working on platform issues. "I sense a real openness to the ideas we're presenting and a real willingness to coordinate efforts on the platform," Gellermann said.

As we go to press, the prominent people who have

endorsed the Democracy '76 statement since the last NEWSLETTER, include: Gar Alperovitz of the Exploratory Project for Economic Alternatives; Robert S. Browne, president of the Black Economic Research Center; Richard E. Chavez of the United Farm Workers; Rep. William L. Clay from Missouri; Rep. Ronald V. Dellums of California; Cushing N. Dolbeare, ADA Executive Committee chair.; Joe Duffey, general secretary of the American Association of University Professors; Msgr. John J. Egan, director of the Center for Pastoral and Social Ministry at Notre Dame University; energy expert Robert Engler; author and feminist Betty Friedan; Alan Gartner, publisher of *Social Policy*; radical economist David M. Gordon; Victor Gotbaum, executive director, District Council 37 of AFSCME; Martin Gerber, director, Region 9, United Auto Workers; A.F. Grospron, president, Oil, Chemical and Atomic Workers; urban affairs professor Bertram M. Gross, who helped draft the 1945 and 1946 Employment Acts; Ralph Helstein, president emeritus, Packinghouse Workers; writer Nat Hentoff; Irving Howe, editor of *Dissent*; author Andrew Levison; Raymond Majerus, regional director, Region 10, UAW; Carey McWilliams, former editor, *The Nation*; political activist Gene Pokorny; labor lawyer Joseph Rauh; Rep. Charles B. Rangel of New York; Victor Reuther, former director, International Affairs Dept., UAW; political activist Richard Rothstein; Leon Shull, national director, ADA; David Selden, former president of the American Federation of Teachers; writer I.F. Stone; Peter Steinfelds, associate for Humanities, Institute of Society, Ethics and the Life Sciences; James Weinstein, radical historian and editor; Jean Westwood, former national chair. of the Democratic Party, and 21 members of the Democratic National Committee from 15 states. □

## Full employment . . .

(Continued from page 1)

and unions have endorsed it. The Lieutenant Governors of California and New York are each sponsoring conferences focused upon it in the next two months. It has been the most frequent subject of testimony at this year's Democratic Party platform hearings, and it surely will be a key plank in the Democratic Party platform.

But more than simply being, the bill presents a breakthrough in legislation. It goes beyond the hopes of the 1946 law in asserting the right to a job, connecting that right to the broad range of federal government activities and providing a planning framework for the achievement of full employment. It emphatically stakes out a more active role for government in the economy. It is a much better bill than the present law; indeed, there is no real comparison. But the bill is weaker than it need be and is in fact already weaker in many areas than earlier versions.

A fundamental flaw is that the "right" to an opportunity for useful paid employment is not linked to a "guarantee" of a job to all who wish to work. As a result, the bill falls into a series of dangerous traps:

- Instead of no (or only frictional) unemployment being acceptable, the target, in effect, becomes 3 percent unemployment. The standard labor force measuring system is retained, a system which seriously underestimates the number of actual and potential members of the workforce;

- The Secretary of Labor is permitted to establish criteria to determine who will—and who will not—have access to public jobs;

- The reservoir of public employment jobs are discontinued when unemployment reaches 3 percent;

- Youth, although covered in a special section, are excluded from those covered by the basic right.

Not only does the bill accept too high a level of unemployment, it sets too long a period—four years—to get there. Earlier versions of H.R. 50 provided for the achievement of 3 percent unemployment within 18 months, with the full guarantee extended to all within four years. This should still be the mandated goal.

Especially critical is the need to eliminate the setting of eligibility criteria for publicly provided jobs. Not only do the criteria implicitly sanction less than "full" full employment but the nation's history clearly suggests that it will be minorities, women, and youth who will again get the short end of the stick.

In the case of women this conclusion is inescapable. The bill specifies both the number of employed persons in a household and household income as criteria, thus writing into law supposedly "neutral" standards that in fact will discriminate against women who want to work.

To achieve the full employment goal, the present bill's weak involvement of the Federal Reserve Board must be replaced by a mandate that its policies be supportive of real full employment as the priority goal. At the same time, the bill's failure to provide for controls against inflation should be rectified by the inclu-

sion of selective controls on prices and profits in concentrated industries. Finally, the limited citizen involvement through the Advisory Committee should be expanded at least by national and regional boards, and additional citizen involvement schemes should be explored. (An intriguing idea is Bert Gross's suggestion that FCC license renewals include a requirement that license holders provide forums for both input to and consideration of the proposed Full Employment and Balanced Growth Plan.)

Additional areas for improvement include attention to capital generation, the problems of job-exporting particularly by multi-national corporations, closer linking with income maintenance programs and attention to the special problems of older persons. (Here Congressman James Scheuer has proposed helpful amendments.)

### Public jobs as last resort?

Essentially, the bill relies on the private sector to achieve full employment; state and local governments are seen only as a second line of defense and federal employment is the last resort. This emphasis is misguided on two counts. First, it assumes that employment in the private sector is most efficient and socially desirable. But the best use of human talent is not necessarily to be found in private profit-maximizing occupations and the bill should make it clear that there are occasions when the government should be the employer of first resort. Secondly, the bill badly miscalculates what private enterprise can and will do. In fact, the passage and attempted implementation of Hawkins-Humphrey may well provide the best proof yet of the private economy's incapacity to subordinate anti-social corporate priorities to socially useful ends.

At present, the bill's planning devices are little more than goal setting. An improvement over the Humphrey-Javits planning bill—it at least answers the question of "planning for what?"—it does not even go as far as the limited indicative planning of France. To achieve the socially useful full employment at which the bill aims, the country must take steps to democratically plan and control some of the investment decisions of the economy. A nationalized rail system, a public oil and gas corporation, publicly subsidized consumer and housing cooperatives, and community development corporations all would provide work for the unemployed and a means for society to assert democratic social control over some basic economic activity.

But even with these fundamental weaknesses and omissions, the bill merits attention, concerted effort to strengthen it and a strong push for its adoption. The Presidential candidates must be made to go beyond support of the present bill, the Democratic party platform must outline and mandate an improved version of the bill and we must elect members of Congress similarly committed. The passage of such a bill will not produce all that we wish for America, but when the President beyond the next presents her (and this is the first major bill whose language admits the possibility that Presidents can be male or female) Full Employment and Balanced Growth Plan, perhaps 1984 may yet be a year to celebrate. □

# NLRB says no to medics' union

by CAROL DRISKO

A majority of the National Labor Relations Board (NLRB) ruled that hospital interns and residents do not have the right to form unions and to bargain collectively. The NLRB this spring dismissed a petition to hold a representation election among interns, residents, and clinical fellows submitted by the Cedars-Sinai Housestaff Association of Los Angeles. The group is part of the Physicians National Housestaff Association (PNHA) led by Dr. Robert G. Harmon. The PNHA, which represents about 10,000 interns and residents, was in the process of converting into a nationwide labor union. Last year the organization held three major strikes—in New York, Los Angeles, and Chicago. In Chicago, the PNHA won a major victory after an 18-day strike last fall. The settlement reduced the housestaff's workweek from 100 to 80 hours, increased base salary from \$11,600 to \$12,200, and included provisions that facilitate improved patient care.

The main point of the 4 to 1 NLRB ruling was that interns and housestaff physicians are "students" rather than employees as defined by the National Labor Relations Act. They are, according to the four majority members of the NLRB, in the hospitals "not for the purpose of earning a living . . . but to pursue the graduate medical education that is a requirement for the practice of medicine. While the housestaff spends a great percentage of their time in direct patient care, this is simply the means by which the learning process is carried on."

## *Of marginal utility*

In response to Office of Management and Budget questions at hearings last October, the Energy Research and Development Administration said:

"The national electric energy system has evolved into an interconnected entity which is unique in terms of the number of interconnecting and interacting components and in its overall complexity. This complexity is such that reliability of individual components cannot guarantee the reliability of the overall system, since the failure of a single component may have unforeseen consequences in terms of cascading effects. The corporate structure of the private utility industry is such that these effects almost inevitably extend beyond the boundaries of any company or even of any interconnection of companies. Consequently the responsibility for the necessary extensive analyses of such potential problems transcends the interests and capabilities of the individual utilities which together comprise the national system."

Sounds like bureaucratise for capitalism doesn't work in the utility industry. □

The lone dissenter, John H. Fanning, delivered a powerful challenge, six pages longer than the majority decision, characterizing it as "not grounded in the statute, the law, or in reason." He pointed out that in other cases the Board has included "students" in bargaining units and "has authorized elections in which the voting group was composed exclusively of students." "The touchstone," he added, "has always been whether the 'students' were *also* employees."

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For performing, "*without immediate supervision of any kind . . . matters literally of the ultimate significance,*" Fanning said, the hospitals pay the housestaff what his colleagues call a "stipend, . . . from which the hospital withholds federal and state taxes, contributions to social security, and provides for health insurance. The hospital grants vacations and sick leave. . . ."

Dr. Harmon, speaking for the PNHA, calls interns and residents "the infantry of our nation's operating rooms, emergency rooms, intensive care units, and the wards of our so-called charity and public hospitals . . . and the hospitals live off their sweat. . . ."

"Somebody somewhere doesn't like the idea of doctors who rock the boat. Who benefits by the NLRB's decision? The economics of hospital care are now determined by two groups, the profit driven members of the American Hospital Association and the elegant academics of the Association of American Medical Colleges. The last thing either of these groups want—or could withstand—are challenges to business as usual by qualified outsiders. . . ."

"Will [interns and residents] still be allowed to continue performing medical tasks usually reserved for doctors? . . . What will happen to Medicare and Medicaid payments to hospitals for medical work now done by so-called 'students'? Can hospitals, in justice, be reimbursed at physician rates for services that so-called 'students' perform?" Harmon asks.

Questions about the impartiality of the point of view of the NLRB majority could also be raised. Peter D. Walther, before becoming a member, was a lawyer for the firm representing St. Christopher's Hospital (Philadelphia). The husband of the chairperson, Betty Southard Murphy, is chief of radiology services at the University of Pennsylvania Hospital.

Where does the PNHA go from here? Harmon will try to appeal the matter, but since NLRB decisions on recognition are considered final, legislative remedies may be the only route. Support for such a legislative drive, says Stephen Diamond of the PNHA staff, is expected to come from parts of the labor movement, including the UAW and AFSCME. However, AFL-CIO president, George Meany, does not favor unions for medics. "We have enough troubles," he said. □

# Jimmy Higgins reports . . .

A REAL CORPORATE OFFENSIVE—"I really believed that the corporate holliganism of the 1930's would never return," Oil, Chemical and Atomic Workers President A. F. Grospiron said in disbelief. "But it has with a vengeance." On April 6, between 9 and 10 p.m., 15-30 armed guards crashed an OCAW picketline at the NL Industries plant in Sayreville, N.J. According to a sworn affidavit of an OCAW picket, "Each security guard had a revolver in his side holster, a night stick and also approximately six of them were holding shotguns or carbines, and four of them were holding machine guns." The strike began February 1, and issues in dispute include the company's admitted deficiencies in the plant, changes in work rules, a reduced workweek and a loss of 125-150 jobs. NL is a multinational corporation, and the OCAW charges that it is out to break the Sayreville union local. The OCAW has written to New Jersey Governor Brendan Byrne, to the mayor of Sayreville and to the state attorney general asking that the weapons, which are still in the plant, be removed, and that investigation for possible violations of the law be commenced.

**NOTABLE QUOTES FROM THE CAMPAIGN TRAIL**—Henry Jackson told an audience at the Presidential Forum in New York City that "you can't live a normal life on the tenth floor of an apartment building." When Forum moderator Elie Abel suggested to the Senator that many of the people in the audience (which broke into a disruptive chatter) lived on the tenth floor, Jackson compounded the gaffe by insisting on his point all the more. No, said Scoop, who was relying on the votes of city residents often packed into high density moderate income housing (a la Co-op City), a family can't be raised in an apartment building. The bored press never even noticed. Nor did the press pick up on a Jimmy Carter statement to a Washington

press conference. Explaining that his showing in New York wasn't so bad after all, Carter told the press, "I carried the Christian vote." James Reston, preacher-in-residence at the *New York Times*, surveyed the world last month and decided that this is really the best of all possible systems for picking Presidential candidates. Commenting on Britain, he noted that the system of selecting a prime minister was closed to "outsiders. No Jimmy Carters need apply." Considering that the leader of the British Opposition is a woman, and that the current prime minister is a member of a religious and ethnic minority who never attended college, one wonders whose system is closed to outsiders. . . . Perhaps the most startling of the little noticed remarks of the past month came from the guru of chic conservatism, Governor Jerry Brown of California. Brown, who is being taken more and more seriously as a contender for the nomination, told the *New York Post* that New York City just might have to go. But, according to Brown, there was nothing to worry about, because cities are a relatively recent development in human history, anyway.

**FULL SCALE FACTION FIGHTING** has surfaced in the United Mine Workers' union. There has been considerable tension in the union ever since the Miners for Democracy team of Arnold Miller, Mike Trbovich and Harry Patrick took over from the old Boyle machine. The International Executive Board, which had its share of Boyle loyalists, frequently fought with the officers and particularly with the staff. Since last year, Trbovich has been openly critical of Miller's leadership and has been drawing closer to the dissidents on the Executive Board, and the anti-Miller forces on the Board have been increasing in strength as some Miners for Democracy Board members desert their president. In mid-April, Miller issued a press release charging that budget cuts voted by the Board would cause major cutbacks in the union's program. Washington labor observers *not* involved in the fight concede that the cuts are part of an effort to discredit Miller's administration. Many sympathetic to Miller bemoan his ineffectual leadership. A number of UMW staffers have already left, and the latest round of fighting is causing the remaining staff to become increasingly uncomfortable. One labor observer expressed the consensus: "It's a mess."

**FIGHTING BACK AGAINST THE TEAMSTER-GROWER ALLIANCE**, the United Farm Workers have decided to take the issue of the continued existence of the Agricultural Labor Relations Board directly to the people of California. The UFW is mounting an extensive campaign to place the Agricultural Relations Board on the November ballot as a constitutional amendment. 312,000 signatures are required to get the issue on the ballot, but UFW organizers are aiming for 500,000 petition signatures. If they succeed in passing the referendum, the ALRB will be constitutionally mandated, and the legislature would be required to fund it.

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