



HUMAN RIGHTS PARTY OF ANN ARBOR

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For Immediate Release

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For Immediate Release
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Judge denies HRP injunction to put 15-year-old on ballot--

Three judge-panel convened to decide constitutional issues.

Judge Lawrence Gubow today denied a request by the Human Rights Party of Ann Arbor and Ms. Sonia Yaco for a court order to have Yaco's name placed on the ballot for next Monday's School Board Election. At the same time he also denied motions by attorneys for the School Board and the Secretary of State to dismiss the entire case or issue a summary judgment in their favor.

The still pending case involves a challenge to a Michigan Statute requiring that candidates for any office be 18 years old.

The important constitutional question of discrimination against young people solely because of their age was postponed and will be decided by special three-judge-panel presided over by U. S. Circuit Judge George Edwards, around the middle of July.

If the three-judge-panel should rule against Ms. Yaco, the case would immediately be appealed to the U. S. Supreme Court. This is believed to be the first court challenge of a person being denied the right to run for office because of age. Gabe Kaimowitz, attorney for Yaco and the Human Rights Party, pointed out that the U. S. Constitution gives age restrictions for three offices (President, Senator, and Congressman) but is silent on all others, including, for example, Supreme

(more)

Court Judges. In the same way, the Michigan Constitution has age requirements (for example, for Governor) but has none specifically applied to School Board candidates.

Therefore, in Michigan law, anyone can run for School Board who meets the qualifications for elector. The category of elector was once hedged in with all sorts of restrictions (white, male, adult, property owner) but a whole string of constitutional amendments, court rulings, and legislative changes have left age, citizenship, and a token thirty-day residency requirement as the only restrictions. Kaimowitz dramatically summed up his case by pointing out that in the first half of the 19th century the argument turned on the question of whether slaves and black men were really "children", without legal rights--in the second half of the 20th century the question has become one of whether children are really "slaves", without legal rights.

Judge Gubow gave Kaimowitz until June 30 to answer the motions for dismissal and summary judgment made by attorneys for the State and the School Board, and an additional ten days for rebuttal of those answers. He indicated that the three-judge panel (of which he will be one member) would then take these briefs under consideration and decide whether oral hearings were required before a ruling could be issued.

In talking with reporters after Judge Gubow gave his decision, Yaco said she could continue as a write-in candidate for the School Board. Bob Alexander, HRP co-ordinator, stated that HRP will push the write-in campaign as part of the total strategy that includes pursuing the court case. Alexander pointed out that Curtis Holt and Grtchen Wilson, the other HRP nominees, are still on the ballot--only Yaco's name need be written in.

↓ HRP History ↓

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dential police dossiers on political activists. The caper was labeled "Madison's Watergate" by the local press, which called for a full investigation. The police officer involved retired, a letter of reprimand was written to him and the new, more liberal, police chief has stated no one will see the files and that names will be deleted seven years after their appearance. "The day of political spying is over," he said. Dyke defended his action, saying he did it on behalf of the safety of the citizens of Madison. Soglin remained curiously silent on the affair even though speculation has centered on the possibility that the files include a dossier on him.

The pre-inaugural scandal demonstrated many of the tensions lingering in the Madison city hall from the past decade of student activism. The most explicit source of that tension sits on the seventh floor of the building, three floors over Soglin's head. He, too, is 28 and was a participant in the University of Wisconsin's student movement. His name is Karl Armstrong and he is accused of first degree murder stemming from the bombing of the University's Army Mathematics Research Center (AMRC) in 1970. The explosion killed a young post-doctoral physics researcher working late in the basement.

Surprisingly, the Armstrong case did not play the role in the Dyke-Soglin campaign that many thought it would. Soglin workers called Armstrong their "Eagleton" and were alert to the possibility of an Armstrong controversy. Except for a few questions at meetings, the controversy never materialized even though Armstrong was extradited from Canada in the middle of the campaign amid extraordinary security measures. He will probably be brought to trial in Madison sometime this summer.

The case has already drawn national attention as well as local political activity. A defense committee has held several marches and begun extensive fundraising activities. Armstrong was arraigned on \$450,000 bail and has retained movement lawyer Bill Kunstler to defend him, along with local attorney Melvin Greenberg and Milwaukee attorney William Coffey.

The bombing of the AMRC, a

unique million dollar military think-tank supported by the Defense Department, was Madison's most militant and controversial act of resistance to the war in Vietnam. Armstrong, a hometown boy, has attracted more curiosity than hostility since his return. Soglin wrote a column on Armstrong in the campus daily on the day he was caught in Toronto, in which he said "At this point it would be the height of hypocrisy to abandon Karleton Armstrong. Whether Armstrong is innocent or guilty, anyone who conceptually supported ridding this campus of the AMRC, no matter whether they approved or disapproved of the bombing itself, must come to his defense." The new mayor says he will not retract that statement nor comment on the case.

The verdict on Armstrong, and the case's impact on Soglin, if any, will be determined in the next two years. So, too, will the response of the new radical mayor to the paradoxes of power and politics. If there is any indication of how Soglin will play the game, it might have come during one speech he made before a group of real estate investors during the campaign. Soglin spoke to their main concern—namely, the question of speculation in the downtown residential areas. The candidate warned them that if he was elected there would be no more zoning manipulations and no more speculative development in residential areas. One of the investors joked "Does that mean me?" Soglin stared and said "Yes".

He lost their votes and money, but he wasn't chickenshit. Clean desk and all.

HUMAN RIGHTS PARTY SUFFERS SETBACK IN ANN ARBOR

by Edward Zuckerman

Ann Arbor, Michigan, is a classic example of the curious politics of a college town. For years, the faculty element of the University of Michigan, which contributes about 30,000 students to the town's population of about 100,000, has played a

major role in the local Democratic Party. As a result, Ann Arbor Democrats have long been on the left-liberal fringe of the party. On the other side of town, both geographically and politically, stand the local business interests, the "townies," the Republicans. They look toward the local Democrats with a peculiarly college-town brand of inter-party scorn.

"A University professor is a person who's never been out of school," says Lloyd Fairbanks, a Republican city councilman and bank vice-president. "They've never had to make that money they get paid with. They've never had to put together a profit-making business."

Republican Councilman John McCormick, an attorney, agrees with his colleague. "This city's politics are crazy," he says. "If you look up at the sky and say 'The moon is yellow,' somebody from the University will say, 'The moon's not really yellow. Actually it's purple, and the gases around the moon just make it appear yellow.' And the next day a group will form and they'll march downtown with picket signs saying the moon is purple. Then they'll call their candidates and say, 'We won't vote for you unless you support our position.'" As an example of such madness, McCormick cited a sit-in staged by Chicanos in support of the lettuce boycott.

In 1969, for the first time in recent years, the Democrats captured the mayorship and a majority on the City Council. By 1972, they had lost their majority but retained the mayor's seat with its veto power. And then two things happened: the voting age was lowered to 18, and students were allowed to vote where they go to school. The Democrats cast loving glances in the direction of the University and saw visions of a permanent majority.

There is, however, many a slip between one thing and another. In last year's City Council election (half the ten Council seats are up each April), the Democrats did not win a single seat. This April, the Republicans, campaigning on a platform of "responsibility," strengthening the police force

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and better garbage collection, won both the mayorship and a commanding majority on Council. Although it worked to the Republicans' advantage, it was not the Republicans who wrought this rapid deflation of Democratic dreams. It was instead the newest phenomenon on the Ann Arbor political scene—the Human Rights Party.

The HRP is a direct outgrowth of the student movement at the University of Michigan. Jerry DeGriek, an HRP city councilman formerly active in the University student government and one faction of the campus SDS, recalls, "We'd call rallies and keep seeing the same faces. We decided it was time to reach new people. And we realized that many people regard electoral politics as their only legitimate political activity."

So a group of student radicals, coming mostly from SDS and the International Socialists, formed the Radical Independent Party in 1971. It later linked up with the state-wide Human Rights Party being organized by dissident left-wing Democrats. They circulated petitions to get a spot on the ballot in last year's City Council election, and, defying all predictions, won 24 percent of the vote city-wide and elected two Council members in the wards with the highest concentrations of students.

While winning those seats, the HRP also won enough votes in the other three wards to give all those races to Republicans. The resulting line-up on the Council (on which the mayor has a vote) was five Republicans, four Democrats, and two "Humans," as the HRP members call themselves.

The following year was one of constant compromise. "You can't show people why a third party is necessary by showing up and saying the Republicans and Democrats are full of shit and these are our demands and bye-bye," said DeGriek. Instead, the HRP and the Democrats began to get together. With Democratic support, the Council enacted HRP proposals that made it illegal to discriminate against gays in housing or employment and forbade employment agencies to supply scab labor to companies undergoing strikes. In addition, the Council endorsed the lettuce and Farah boycotts, passed a unit-pricing law,



PHOTO BY THOMAS R. COPI

Human Rights Party celebrates victory in 1971 election

banned non-returnable bottles and designated one week last June as Gay Pride Week. And there was, of course, the law that made Ann Arbor famous: the ordinance that reduced the penalty for smoking, possessing or selling marijuana to a \$5 fine. The law was struck down by a local judge last fall because of its conflict with state law, but, while the case is being appealed, the \$5 law remains in effect. (In the meantime, nobody who pleads innocent is being convicted. The state police lab, which must certify that the weed is marijuana in contested cases, is peeved at Ann Arbor for not taking the drug menace seriously and puts all samples from there at the bottom of the pile.)

While pleased with these successes, the HRP Council members, DeGriek and Nancy Wechsler, have worried about their ultimate political effect. "I'm not just a socialist," says Wechsler, "I'm a revolutionary. So I think about what we can bring up on Council that will make people aware of the contradictions of capitalism. . . The hardest question we have is when to settle for what we don't want. The question is: Does it really represent some kind of change? Even when we accept a compromise, we always make the point that it's not enough."

Among HRP proposals on which Democrats wouldn't compromise were cutting off city services to war industries, banning the importation of

strike-breakers from out of the city, establishing rent control and appointing public housing tenants to the city housing commission.

Still, the Democrats generally felt ideologically closer to the HRP than to the Republicans. "The gap in rhetoric is great," said outgoing Mayor Robert Harris, a University of Michigan law professor, before the April election. "HRP says 'We want socialism and total public ownership of everything in the world,' and the Democrats won't say that. But when you get away from the rhetoric, there is very little difference operationally between the HRP and the Democrats, while the gap between the Democrats and the Republicans is wild."

Accordingly, when the time came to decide how to spend \$1.4 million in revenue-sharing funds early this year, the Democrats took one look at the Republican proposal, which allocated \$500,000 to debt retirement and \$200,000 to keep garbage cans from remaining at curbside between pickups, and promptly fled to make a deal with the HRP, whose proposal was heavily weighted in favor of child care, health care and drug programs.

The Republicans, of course, have consistently found the HRP repulsive—as a matter of style, at least. But it is significant that the Republicans have no *political* complaints about the HRP except to say that they resemble

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Democrats. Republican Fairbanks goes so far as to call the two parties the "Big Democrats" and the "Little Democrats." That observation, even coming from so dubious a source, still helps explain what happens when elections roll around.

The Democrats and the HRP find themselves competing for much the same constituency. "They'd come in with an idea for an ordinance," said former Mayor Harris, "and we'd do the hard work of research and drafting. Then, after it passed, we'd get into a shouting match over who deserved credit for it."

Added Democratic Councilman Norris Thomas: "We take a lot of this shit because we believe in what the HRP is doing. And they embarrass us into doing things that we should be doing. But I think of them as the Little Democrats too. I wish they had joined the party. We just fight about this petty shit. It's ridiculous."

As the April election approached, and it became clear to practically everybody that the Republicans were headed for victory, the Democrats made even more woeful noises. "The Republicans have only 40 percent of the votes," said Harris, "but we're just giving the city back to them. It's a tragedy."

When the election results were in, it turned out that the Republicans had done even better than everyone had expected. Their mayoral candidate came in with not 40 but 47 percent of the vote. Re-

Ann Arbor's new mayor, James Stephenson



PHOTO BY ROLFE TESSEM

publican Council candidates pulled 45 percent of the vote city-wide and two of them carried their wards with more than 60 percent of the votes.

The big loser in the election was the HRP. It won only 16 percent of the total vote, down from 24 percent last year. The Democrats won two Council seats, carrying both of the wards that the HRP carried last year. On the day after the election, the Ann Arbor papers were talking about the "death" of the HRP. And Democratic Councilman Thomas was moved to proclaim, "We won the battle but we lost the war. Next year we're going to win the battle and the war."

What happened to the HRP was, simply, that the students stayed home. And, despite optimistic talk by HRP members of expanding support among blacks and workers, the great strength of the party still lies in the student population if it lies anywhere. (Any doubt about the party's continuing student roots may be dispelled by attending one of its mass meetings, which elect the steering committee that sets HRP policy and can dictate the votes of HRP Council members. The mass meetings both look and sound like SDS meetings, circa 1969. The rhetoric and hair are long, procedural debates are protracted and enervating, and factionalism is developing.)

Last year, 55 percent of eligible students voted, most of them for the HRP. This year only a meagre 33 percent made it to the polls. Things were so bad that a Michigan Daily photographer sent out to get a standard shot of students voting came back hours later and reported that he couldn't find any students voting. The Daily ran a picture of an empty voting booth instead. Over at HRP headquarters, a losing Council candidate moaned as the votes came in, "Those stoned freaks at Alice Lloyd [a dormitory], why didn't they vote?"

Why not indeed? "A year ago," said DeGriek, "there was a lot of excitement in the campaign. The HRP was new, and the difference between us and the Democrats was very obvious. This year the Democrats ran a 19-year-old radical-sounding woman student and a black in our strong wards. A lot of people stayed home because they incorrectly assumed that it didn't

make that much difference."

The HRP continues to insist, despite what the Republicans, the Democrats and the voters say, that there is a difference, that the Democratic Party will never bring about a fundamental social change, not to mention socialism, and that the role of a third party can be crucial in accomplishing meaningful reforms while gaining a "legitimate" and prominent forum for radical ideas. In addition, the very existence of the HRP continues to push the Democrats to the left. All five Democratic Council candidates this year were women or black, and it was hard to distinguish the liberals from the radicals.

"But we can't look out for the interests of the Democrats," says DeGriek. "It really doesn't make much difference anyway. The only reason we got much accomplished last year was because neither the Democrats nor the Republicans had a majority. And they voted together against us on every really crucial issue."

"If we accept the lesser-evilism trip and say, 'Well, we won't push this year because we don't want to split the vote,' then we'll be saying the same thing next year and the year after that, and we'll never reach our goal."

"I don't know if there will be a revolution in this country for a hell of a long time, to say the least. And nobody is giving us a blueprint of how to get there. But I think, at this point in time, in this town, a third party is a good thing to invest energy in. . . . Despite what you may have heard, we're not dead. We still have our two seats on Council. We still have an active hardcore base. And we're going to stick with it." ■

RADICALS WIN INITIATIVES, LOSE COUNCIL RACE IN BERKELEY

by Art Goldberg

This was to be the year the radicals took control of the nine-member Berkeley City Council. The radical April Coalition, based in Art Goldberg is a Berkeley writer and activist.

THE HUMAN VOICE

ANN ARBOR HRP
NEWSLETTER

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SPECIAL REGISTRATION ISSUE

RENT CONTROL, \$5 MARIJUANA LAW NET 6,000 NAMES EACH

PETITION DRIVES OVER THE TOP! APRIL BALLOT SPOTS LIKELY

Six months of research, organizing, and sweat came to a climax Monday, December 31st when the Human Rights Party turned in Charter Amendment petitions to the City Clerk. Over 6000 registered voters signed the petition calling for the reinstatement of the five dollar marijuana fine and 6500 signed the rent control petition.

We now await the decision of the City Clerk as to whether the necessary 3670 valid registered voter signatures have been garnered to get the proposals on the ballot. This is not a foregone conclusion, since many people apparently think that illegible signatures are a mark of distinction. If the necessary names have been gathered, the amendments will be sent to Lansing. Governor Milliken will then have the opportunity to express

his outrage, but his disapproval (which we expect) has no legal force. Attorney General Kelley must also approve the wording of the ballot question so that it is not deceptive.

In the mean time, the real work begins—campaigning for the support of Ann Arbor voters. The outlook is hopeful, considering the terrific and totally unprecedented response to the petition drives. But 16,000 votes (at least) will be needed to pass the proposals. In any event, both issues will provide opportunities to organize people on an unprecedented scale. Win or lose, we have already gone far to raise the consciousness of thousands of people.

Unfortunately, the pay for City Council proposal had to be temporarily
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VOTER REGISTRATION: SIGN UP NOW!

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MASS MEETING

JAN. 10

THURSDAY, 7:30 PM, PUBLIC LIBRARY