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JANUS is the work of a small group of partly retired and retired faculty designed to provide, each term, a continuing forum to all faculty for thoughtful discussion of University of Montana topics. The editorial board discusses and solicits manuscripts on specific issues but unsolicited manuscripts are very welcome. To take advantage of low cost reproduction techniques, which will make this journal economically feasible, we ask that all manuscripts be limited to 10 pages single spaced and be camera ready without pagination. Manuscripts ready by April 16 should be sent to the Department of Chemistry, CP 101A. For further information, please call one of the other of the following on campus or at home: W. Ballard, M. Behan, M. Chessin, J. Cox, D. Hampton, T. Payne, H. Reinhardt or R. Smith. JANUS is funded with the help of the University of Montana Faculty Senate.



Whatever Happened To — ?

Richard Landini .

Robert Pantzer's announcement in the spring of 1973 that he planned to leave the presidency of the University of Montana at the end of the 1973-74 fiscal year proved to be an important hinge in my own personal and professional history. To that time I had served three years in his administration as Academic Vice President. Bob's decision prompted Phyllis and me to think that the time had come for us to decide either to seek a presidency or to return to being a gentleman once again as a professor of English. We acceded to the request of President-select Richard Bowers to serve in his administration, 1974-75, as Academic Vice President. In late winter 1975, Indiana State University asked me to serve as its eighth president. I took up my duties on May 16, 1975.

Phyllis and I had developed profound respect and love for the University, and we formed friendships with colleagues that continue to this day; but all things considered our decision to move on proved judicious and wise.

After some seventeen years, I retired from the Presidency on July 31, 1992, and returned part-time to teaching in the Department of English here at Indiana State. I teach one course each semester--usually a seminar on W.B. Yeats or Ezra Pound or T.S. Eliot or "The Fugitives" or critical theory and practice--barely enough to justify an office, telephone, word processor, and the clerical assistance granted to me as Emeritus President and Professor by the University. I am experienced and knowing enough to maintain a low profile on campus, lest someone allege that I am planning a "comeback." I refuse to accept inquiries from colleagues or townspeople about my opinions regarding the administrative style and decisions of my successor--all of which are, by the way, brilliant.

Phyllis and I purchased a condominium in Terre Haute in 1990, in anticipation of my retirement. In December, 1991, she suffered the first of several debilitating strokes. After eight weeks of in-patient treatment at three hospitals, her illness was diagnosed finally at Mayo (St. Mary's Hospital) in Rochester, Minnesota, as adenial cancer. She died on March 25, 1992. I miss her desperately.

A memoir or reminiscence of my term of administration--"No Uncertain Terms: The Life and Times of Indiana State University and its President, 1975-1992"--is almost completed, and my next project is a critical study of Pound's Cantos.

My years at Indiana State have been eventful and, according to most accounts, productive. The institution looks and feels like a

place in which students can take pride and where faculty find intellectual and academic satisfaction. Throughout my administrative career, I have carefully eschewed all texts, tracts, conferences, and seminars designed to teach one effective management techniques. Acting on instinct and experience acquired at Arizona State University and the University of Montana, I have resisted (for the most part successfully) the usurpation of administrative responsibility by the University's Board of Trustees. I have fought the good fight against barbarians who would force the University to accept credits earned at vocational and technical schools. I tried my level best to stay out of the way of my faculty colleagues in order to let them get on with their teaching and scholarship. It has long been my hope to enhance opportunity for professors and students to pursue lives of the mind with a minimum of fuss and bother from the administration, especially the President.

Although it is not for me to judge the accuracy or value of such observations, the last twenty years have seen the University move into its own bright place among worthy and respectable universities in the Midwest. That's good; and I hope that the historiographers will note that I helped a little.

THE EVOLUTION AND EXTINCTION OF FACULTY POST-RETIREMENT SERVICE

James W. Cox

JANUS colleagues have suggested a piece on University System regulations on retirement. I have responded with a personal narrative because the topic may be of most interest now as a case study in how a large organization, the State of Montana, goes about its business.

Eleven years ago, the legislature drastically liberalized retirement policies specifically in response to our UM initiatives. My own involvement goes back to academic year 1981-1982 when I was elected to the Faculty Senate. In the earliest years of the Bowers administration I had served on ECOS when Howard Reinhardt was Chair and had developed a great affection for the Senate and its proper assumptions about the role of faculty in University governance. Then at the April 1981 meeting, with no premonition, I found myself nominated for, then elected, Senate Chair. It was a time of some optimism because the presidential search which eventually recommended Neil Bucklew was at the last interview stage. I had a long talk with Bucklew at the UC at his request and he seemed sharp, enthusiastic and articulate.

That Spring, preparing for a new Senate year, I asked a few faculty members, whom I had thought of over the years as astute campus observers, to discuss with me possible directions for our faculty role. As I recall, Professors Behan, Silverman and Huff were present. A persistent theme was the tenure-choked departments resulting from budgetary constraints of the Bowers years in which curriculum planning, soft money, research and general vitality were suffering. It was a faculty of full professors, no money for new lines and an inflation rate that made retirement a gamble since retirement benefits were static.

It seemed clear that an effort towards inflation indexed retirement benefits was an unproductive road to travel since it implied a huge infusion of money by the State to cover the unfunded liability. I began to think instead of the logic of a more favorable post-retirement service arrangement since what existed at the time was notably unattractive.

Retirees could receive only one-fourth of their full year's salary in post-retirement service through working one quarter ($1/3$ of a year). In addition, the wage was forever frozen at a time when inflation was over 10%. An even greater deterrent was that multiple year contracts for such service were not being written so basing one's retirement on that sort of arrangement would be foolhardy. I requested another meeting, this time with campus business colleagues. Professors Power, Henningsen, Andreason, Barth and N. Taylor were present as I recall. It was a productive meeting and all sorts of amendments were suggested and a new model began to emerge later from that meeting based on three new ideas, each pretty straightforward. First, if one were to work an academic quarter, he or she should be paid $1/3$ and not $1/4$ of an academic year's salary. Second, the salary should be allowed to grow with general faculty raises. Third, to constitute a real incentive, part of the new look should be the availability of

extended contracts for post-retirement service. Professor Earl Lory, Chemistry colleague and Montana legislator, was helpful with a criticism of the language of my formulation. He suggested we not use "last academic year's salary" as a basis for the 1/3 time salary but "average final compensation" as defined by the Teachers' Retirement System, a phrase which Professor Lory said the legislature had created and was pleased with. That revision I accepted with thanks but it had dollar implications which I don't think Earl, I or, later, the legislature was aware of.

The proto-proposal survived early informal faculty scrutiny and ECOS, hearing the arguments, was positive. One thing was clear; the Senate should not proceed without UTU participation and administrative collaboration. Actually, President Bucklew, with whom ECOS met weekly, knew right along the stages in the development of the initiative and was encouraging. He had the perspicacity to see the problem and the merits of the solution which the Senate was working on.

I talked with the UTU Benefits Committee, Professors Justman, Chessin and Pfeiffer. They agreed to bring the proposal to the UTU leadership and on January 20, the UTU leaders voted support and the next day the Senate ratified the plan as an ECOS motion carrying administrative blessings. A month later Neil Bucklew brought the initiative to the Council of Presidents and it was supported with enthusiasm.

In April we brought the proposal to the Commissioner's office formally and then to the TRS Board in Helena. My Chairmanship ended in April 1982 when Professor Kathy Miller was elected. During the summer, I made two significant trips -- one to Helena to Montana Education Headquarters realizing that any legislative changes would also affect the TRS public school membership. I learned to my astonishment that they were going to advance an amendment to reduce the number of years of service required for no-penalty retirement from 30 years to 25! I also talked with the Superintendent of Public Instruction and the Montana School Boards Association. The second trip was to Bozeman in late summer where I talked, between his junior high classes, with John Vincent, Speaker of the House who thought Dorothy Eck of Bozeman was our very best bet to sponsor such legislation. It was great advice. Over these months, I tried to solicit the support of the MSU faculty Senate with letters and calls but they seemed not to be paying attention.

The September legislative meeting of the TRS Board went badly and the attitude seemed sullen. It was as if they were hearing the proposal for the first time; they needed more information they said. I sent each a letter outlining the arguments again in more detail with a final exhortation.

Over the years since 1982, critics of our University Teachers Union have pointed to its seeming disinterest in faculty retirement issues. I personally agree that the UTU should have retirement policy as a central focus of its task; every labor union does. On the other hand, in our October 1982 meeting with the TRS Board, the UTU proved pivotal. Professor Charles Bryan accompanied me to assure the Board of strong Union support. The Butte members, particularly, seemed suddenly sympathetic. The TRS actuarial consultant declared the proposal involved very little unfunded liability. Early

retirees were, of course, retiring at a reduced benefit. The TRS Board voted its legislative support. That legislative year Professors Bryan and Dick Barrett were back and forth to Helena with me.

The Commissioner of Higher Education, Irving Dayton, once TRS had voted, made the cause his own. He informed me the University System's legal counsel would draft the legal language but the draft turned out to be incomprehensible. We worked on an alternative which Dayton accepted and Senator Dorothy Eck agreed to sponsor the legislation with Missoula's Fred Van Valkenburg as Senate Bill 166. The bill passed in February and March readings by a margin of 6-1. So did the MEA bill pass to reduce the minimum years of creditable service to 25. The tendency then was to think of the victory as a triumph of imagination and persistence. In fact, I now believe that, while the idea was right, the legislature probably voted for it as a no-cost concession to the campuses in lieu of funding which was disastrous in 1983. They appeared to give us something that in fact was to save them money.

Senate Bill 166 implied no generosity on the part of State or University administration at any level. It simply gave one permission to continue to work a bit after retirement at the same rate as everyone else just as he or she could out-of-state in exchange for one's tenure right. That was not, however, the Commissioner's office view as President Bucklew and I found out at the December Regent's meeting.

Jack Noble, Dayton's lieutenant, had seemed inimical to the amendment from the start. In a clash on the floor of the December Regent's meeting, the Commissioner insisted on three-year maximum post-retirement contracts to keep from "mortgaging the future of the University." Bucklew responded that by freeing lines through retirements for salary savings and reassignment among departments, we were actually "paying off the mortgage." Things got tense; Dayton stormed off and Bucklew won the Regents' vote.

In the years following, more than 80 faculty members opted for retirement and post-retirement service. I personally talked with many faculty, sometimes under UTU or administrative sponsorship. Some were disaffected by new student consumerist attitudes, by perennial lack of State financial support and by departmental unpleasantness. After 25 or 30 years, some simply wanted to be free, part-time, to do other things -- often professional, often overseas. University planning prospects improved as lines were transferred. As an example, the new look in Biological Sciences was made possible by retirement and reassignment of eight related lines. Some lines, elsewhere, were not filled effecting salary savings. There was also the presumed advantage of a continuity in departmental leadership as senior staff were retired gradually through post-retirement service.

All was not well in Eden, however. Changes were being cooked in Helena in 1989 as follows:

"The Board expressed concern that a school might tie up resources for a long time if very many contracts in excess of 3 years were written."

"...Board concern about committing dollars to elderly faculty..."

"A balance can be struck by the Regents by the ability to renew (the 3 year) post-retirement service contracts indefinitely."

Let me address what I think are just blatant inaccuracies in these statements. First, the "ability to renew" the three year contract may sound like something on the floor of the Regents meeting, but, operationally, it is nothing and creates no "balance." Post-retirement contracts are written for full professors at comparatively high salaries and there is no administrative motivation to renew them and no history of the University's doing so except at some paltry revised wage. In fact, it would be poor fiscal policy, once a retirement service contract expires, to renew it when one can get the same courses taught by some local stringer (or by the retiree himself) for 1/3 to 1/2 the salary total. All this is well known to faculty so the renewability clause is really no incentive to retirement and for all practical purposes does not exist. It provides no "balance."

The statement about "committing dollars to the elderly for 5 to 10 years" is totally at odds with the facts. UM data (appended) show that for the 15 post-retirement contracts of longest duration (7 years or more) NOT ONE will bring the retiree beyond age 66 and indeed the average age at the end of these 15 contracts will be 62.8. Further, I am certain, few of us would have vacated tenured lines in his fifties during the 1984-86 retrenchment without the long term incentive to social security.

In 1989 during the Koch presidency (I believe it was, significantly, at a summer meeting), the Board finally imposed the cap that Dayton and Noble had argued for in 1983 making much of "renewability."

Today on our own campus, middle administrators are busy eliminating even the three year option based, I am convinced, on their own misunderstandings. Faculty were allowed to base post-retirement teaching salaries on the final average compensation figure which SP166 allowed as a maximum. This figure was being inflated out of all proportions though most faculty members would willingly have taught in retirement for what they received the year before. The administration pointed to a few post-retirement people who were not doing their assignments well without acknowledging that these same people were not doing their full time assignment well and that the problem has been humanely mitigated by a factor of two-thirds. Further, the chairs and deans did not seem to see that many of their new staff additions, whose tailor-made appointments and contributions they cherish, would have been impossible without the FTE openings made possible by these same retirements.

The 1981-83 effort is about dead and the Regents are now involved in cash payoffs which, I believe, are costly, disruptive, temporary measures. They make less academic sense and are not nearly so favorable to either faculty or the University.

The root problem is, I believe, that by accident or design, the Regents wound up

micromanaging these retirement contracts as if they were decisions involving great generosity and high risk.

These are short term contracts (a 6-year contract is really for two years of service) made at the usual salary to full professors who presumably have done well historically in our faculty evaluation processes. Compare this to contracts for new faculty who may be in the System full-time for decades and whose competencies and future contributions are as yet uncertain and where much bargaining is the rule. We deal with these by the dozens each year on campus routinely and effectively. Why can't we deal with post-retirement service at least as well? The campus should have been given similar latitude and discretion in the matter of post-retirement contracts based on a brief, positive Regent policy statement.

The death of the post-retirement service incentive was, I am convinced, not the result of problems with the concept itself but in its administration.



Did you know ?

Age at the end of the longest 15 post-retirement service contracts issued for UM (contracts of 7 years or more)

Age	66	-	2 contracts	Age	60	-	2 contracts
	65	-	6 contracts		59	-	1 contract
	64	-			58	-	
	63	-			57	-	
	62	-	2 contracts		56	-	1 contract
	61	-	1 contract		51	-	

Average age at the end of contracts is 62.8. Of these 15 contracts, 4 were vacated for various reasons after 3-5 years.

Thirty-one post-retirement contracts have been issued for periods greater than three years. Only six have brought the retiree beyond age 67.



Faculty Abroad

The Sun Almost Always Shone: Reflections on a Fulbright Year in Senegal

Julia Watson, Director, Women's Studies Program

In the hope that an account of our Fulbright experience may encourage other faculty members to venture into unfamiliar parts of the world--even if they have families or are single parents/women--I offer the following. The rewards include not only the stimulation of new knowledge in a new setting and the restorative value of a more slowly paced year with fewer responsibilities and more warm, sunny days. There is also the great satisfaction of human contacts with students and faculty who share our commitment to education in situations that are inestimably more challenging. Perhaps nothing has so brought home to me the excellence of the US educational system--despite its many flaws--and the privilege of working in higher education as a year's experience in a country where what we consider the fundamentals were unavailable: books, class lists, reliable academic year schedules, and an exam/grading system that promotes the majority of students toward degrees and jobs. In a "Third-World" setting such as Senegal, resourcefulness, flexibility, and communication of shared goals are essential. UM faculty members have well-honed survival skills. We have much to give to, and much to gain from, the challenges of a Fulbright year.

Getting There

At the beginning of September 1992, my 11-year-old son, Evan, and I boarded a jet in Detroit for Dakar, with a year's worth of clothes, toys, and medical supplies (books had been sent on) and little idea of what lay before us. I had applied, in the second round, for a Fulbright Senior Lecture/Research appointment to the American Literature section of the Department of English, Université Cheikh Anta Diop, the national university of Sénégal, to teach in English in a francophone country. Like many other Fulbright fellowships to West Africa that require ability in French, the Dakar appointment had not received satisfactory applications during the regular grant period a year in advance (interested colleagues, take note!). Late in May we were notified that I had been awarded the Fulbright, and a hectic round of preparations began--housing arrangements on both ends, arrangements with the university for optimal leave conditions, acceptable schooling in Dakar for my son, and many medical visits (the Fulbright requires a complete physical for all in the family who go, and several inoculations are required for tropical countries).

Fulbright preparations included a three-day orientation in Washington, DC, that raised as many questions as it answered: Were we foolhardy to go to a region of the world where malaria remains a life-threatening problem and the prescribed prophylactic, Lariam, is new, strong drug, and virtually untested on women and children? Could I teach in a university reputed to be a strike-ridden, overcrowded hotbed of unrest, where once-weekly lectures to hundreds of students new to English were the only pedagogical style? What did we know about West Africa anyway? I am not an Africanist, despite my fascination with contemporary women writers such as Mariama Ba, Bessie Head, and Buchi Emecheta. Though I grew up in Detroit, an ethnically diverse city with a rich tradition of African American culture, I didn't feel prepared by education or news media to understand much about Africa beyond a few crude stereotypes. My research had been limited to some reading on the authors for my research project on Senegalese women's autobiography. My familiarity with

Islam, the predominant religion, and with postcolonial francophone countries was slight. But, as I met some of the twelve other Fulbrights who would be in Senegal, many returning from earlier visits or Peace Corps work, their enthusiasm kindled my own for the adventure that awaited us.

Appropriately enough, I spent the summer before departure in an NEH seminar on "Inventing the New World" at University of Michigan. In our readings and discussion, opportunities abounded for thinking about where "America," in all its complex and contradictory heritage, came from. I read the travel narratives to the New World of Cortez, Pissarro, Las Casas with new eyes for debates about the conquest of traditional peoples and the enslavement of West Africans as "black gold" to fuel development. The rare books librarian, excited about our trip to Senegal, steered me to British colonial governor Sheridan's diaries from the 1760s, where I read his account of trying to wrest the Senegal River area from France because it provided four good sources of income: gold, spices, gum arabic, and slaves. It was a chilling foretaste of the realities of colonial conquest in the recent history of Senegal.

But as we set off for Dakar, both eager and anxious, I had little idea of what a rich and moving year awaited us. When we arrived a full day later, we were swept along by an airport crowd that moved easily in the sultry night air. A dazzling array of colors, smells, languages greeted us in what would, for the next year, be our home.

Dakar and Home Life

Dakar, the capital of Senegal, is a peninsular city that juts into the South Atlantic ten degrees above the equator at Africa's westernmost point; it has about two and a half million inhabitants, including many French expatriates. It is pleasantly warm two thirds of the year, but can be oppressively humid and sticky from June through September when the rains come sporadically. Now, with desertification encroaching on northern Senegal, they come less and less. Dakar mixes the gleaming concrete office buildings of a European center of trade and government with the teeming street vitality of an African capital--people in brilliant-colored "boubous," or flowing robes, and turbans; sheep grazing at the edge of busy streets; mini-buses decorated by the Muslim brotherhoods that own them zooming around town with men hanging precariously out the back. Goree Island, just off Dakar's coast, was a capital of another sort: a major nineteenth-century depot for confining, evaluating, and shipping out captured Africans as slaves to the New World. It now has museum to that bloody history in the former Slave House. We came to see Dakar as multi-faceted and even paradoxical, as many of our experiences there would be.

Fortunately, and perhaps untypically, our lives were domestically settled from the beginning. We lived in a nice old Mediterranean-style villa owned by the university and furnished through the auspices of my contract agency, the United States Information Service. It was a little shabby from the fine brown dust of the Sahel that coats everything in winter when the cool harmattan winds blow. But with its cool, sunny, and spacious interior and its yard filled with West African vegetation--bougainvillea vines and lilies, rubber, mango, and flame trees--we soon called it home.

Though simple Western-style household goods are exorbitantly expensive in West Africa (because imported), we were well provided for with supplies and a car arranged

and purchased on the start-up allowance, sight unseen, from my Fulbright predecessor. The Fulbright monthly allowance, criticized by many grantees as low, was bountiful by UM standards. I was able to employ my predecessor's housekeeper and the guardian of another predecessor as household staff, and they became invaluable for orienting us to local customs and rules, helping to practice our initially halting French, and steering us through the inevitable ups and downs of health and cultural adjustment in our first months there. As an American at first I felt oddly colonial having servants. But they were not only essential for our health and welfare; we were for theirs and that of their families, since unemployment in Senegal is desperately high. Our housekeeper, Mme. Marie-Hélène Keita, is the sole support of seven teenaged children. Her husband and 6 sons have not been able to find jobs in years, and they scrape by in a rented three-room cement compound on a diet in which a 20-kilo sack of rice every few weeks is the staple. Our guardian, Babacar Faye, his brother, and sister are the primary support of their village of over 500 people, which survives mainly by cultivating millet. By our standard their poverty was extreme--an income of \$200 a month for the Keita family, less for Babacar because his job included housing. Yet they had a privileged status as employees of Americans and prided themselves on their excellent work. And they expected that we, who appeared as munificent in their eyes as we seemed shabby to the international diplomatic community, would share our wealth with them. As we could, we did.

Indeed Mme. Keita soon became a trusted advisor and friend and someone whose warmth and sage practicality we sorely miss. For my son Evan our alternate guardian (for weekends), Ebrimah Drammeh, 25, became virtually the elder brother he had never had. They began by playing soccer together in the yard (so much for the lilies), then progressed to teasing tag games and ritual insults in a patois mixing French (which each spoke a few hundred words of), English, and Wolof, the language and ethnicity of about seventy percent of Senegal's people. Drammeh himself was a village boy of the inland Socé people, whose language includes clickings and who retain many ritual practices. Every afternoon after school Evan and Drammeh would run around the yard till sweat poured down their bodies, then collapse in the string hammock, laughing, teasing, and hugging. The cultural education both of us gained in these everyday interactions was profound and perhaps unavailable by another route.

My son Evan had a fine year of education at the International School of Dakar, an American-curriculum school with instruction in English and daily French lessons. Less than forty percent of the students were American, mostly the children of embassy employees; several others were the children of European, African, or Asian diplomats. Their school was new and beautiful, located next to the American club with tennis courts and swimming pool on a cliff over the ocean. Classes were small: Evan's fifth grade had twelve students and was taught by a Canadian woman married to a Senegalese vendor who had lived in Dakar for many years. Evan was required to read and write extensively (not a problem, since we had no television to distract him). There were daily after-school sports and clubs. The children became as close, in both affection and rivalry, as a family. All this came at a price, of course: nearly \$10,000, with "building fee" and bus fee. Expenses were paid by the Fulbright (for one dependent), but I learned only afterward how substantial my tax bill for that "income" would be, despite our 330-day resident status. Nonetheless, Evan's education, formal and informal, was a bargain at any price.

Our neighborhood was a fascinating place and a microcosm of Dakarois life. We lived across the street from a refugee complex and frequently saw Africans from many countries--the Hausa men from Niger who opened a Dibiterie or meat-roasting shop down the street, the Guineans who wove long cloth strips on a hand loom made from tree limbs on the corner, the occasional Tuareg with brilliant turban and sword who strode through the streets looking for work. Our neighbor on one side was a retired general, General Bellah Ly, a man of such accomplishment that an avenue had been named for him. His house, a large compound, included his wives, and several children and servants. His pride and joy was clearly the two Mercedes he owned, which were lovingly washed by his guardians early every morning. On the other side lived a retired captain of police whose thirteen children (of two mothers) loved to climb the fence and scale the tree for our mangoes. I had been advised by my agency to keep our distance from them because there had been feuds with previous residents, the most dramatic of which involved their sheep butting holes in our stucco fence wall, then refusing to pay their share of fence repairs. Every morning, the bleating of their sheep waked me, usually before the muzzein's 6 AM call from a nearby mosque.

The central feature of the neighborhood was an enormous oval soccer field containing cages for up to eight separate games. Everything happened on or around the "terrain," as it was called in French. The shoe repairman, a South African who conversed eagerly with us in English, had a stand with an umbrella and a large display board of kinds of soles. Next to him was a baguette kiosk the size of a closet that opened for a few hours three times a day when the fresh baguettes were delivered from the central bakery--often by bicycle. Stands were on corners every few blocks. The terrain had a little hot-foods restaurant at one end, near an enormous baobab tree, the gnarly, shallow-rooted national tree of Senegal. Sometimes jewelry or drum vendors set up near it. Charettes, flat carts drawn by horses, stopped to unload their tree cuttings or garbage for burning on the perimeter. Occasionally someone roasted a sheep and left the carcass there for the large black birds that preyed on small animals. At one end was an area enclosed by corrugated tin where charcoal was made by burning wood shipped in from villages. It was an ecology of sorts--pre-technological, environment-robbing, but geared to small vendors and quantities that householders could purchase day by day for small amounts. Life around the terrain taught us a lot about the difficulties and the resourcefulness of life in Dakar.

Politics of Everyday Life

Our neighborhood was also a political microcosm of life in Senegal. The neighborhood "boutiques," little hole-in-the-wall stores that sold small, hand-measured amounts of flour, oil, peanut paste, and butter, as well as beverages, were vital to everyday economy. But they had recently changed ownership after the Senegal-Mauritania border war of 1987 exploded in the streets and Mauritians, identifiable by their Semitic features and light blue caftans, were shot on sight. Those that could flee, did so, depriving Dakar of its fabled silversmiths. The northern Senegal-Mauritania border remains tense, though there is talk of limited "repatriation" of the Mauritians, a discussion that indicates the complexity of national affiliation.

At the southern end of Senegal, in the Casamance, likewise, border tensions grew extreme during the year, erupting into a war with the Catholic-identified MFDC

separatists that left many casualties on both sides: the massacre of a village, several deaths to inhabitants and Red Cross workers, and an exodus of over 20,000 inhabitants to neighboring countries. If someone had told us in advance that the political situation would become that heated during our year, we might not have gone. Yet, living through it, though our travel was restricted, we did not feel personally threatened; on the contrary, we gained an education about the realities of "showcase" democracy in Senegal. The visible political process of protests and demonstrations on the streets--and its near-invisibility in the highly controlled state media--gave a new meaning to the complexity of the democratic process, especially in contrast with the relative indifference of its American counterpart.

Less than a kilometer from us lived Maitre Abdoulaye Wade, the head of the Democratic Socialist Party (PDS), the major opposition party among the five to ten that exist at a given time, and the "workers' alternative" to the Socialist Party (PS) established by Leopold Senghor, a renowned poet and the first postcolonial president of Senegal, and his hand-picked successor, current president Abdou Diouf. We saw ordinary people line up outside Wade's unpretentious house for audiences almost daily. We learned about demonstrations and street confrontations when the students marched from the university to his house and the police shot tear gas and occupied the quartier with heavily armed riot squads. We observed targeted violence to both sides erupt during the elections that occupied several months of the year, with a few cars burned and buildings bombed. Yet we felt safe almost all the time. Our neighbor the general was a good source of information and better protection on a daily basis than the American embassy. His guard had challenged thieves at our gate with a pistol the only time they bothered us (before I learned that a guardian is always necessary). The informal network of our servants knew in advance when the year's only power and water strike would come and filled the bathtub, bought up food. Above all, as residents in an established middle-class African neighborhood, we were accepted--seeming probably a little odd and pale-appearing, as "toubabs" do, but, in our enjoyment of soccer and evening walks for ice cream, like everyone else.

Islam, Women, and the Family

Perhaps the most profound education in everyday life concerned religion. Islam, though separate from the state in Senegal, is not a separable institution in everyday life. Rather, it organizes its every aspect. Islam has been the predominant religion of Senegal since the ninth century and is professed by over 85% of Senegalese, with Catholicism the religion of most of the rest; animistic practices and beliefs continue to inform both religions in complex ways. The two main Islamic brotherhoods, the Mourides and the Tijanes, are powerful economic and cultural forces in agriculture, banking, government, virtually every aspect of life, and they exist in creative tension. Their differing interpretations of when nationally observed Islamic holy days occur, for example, meant that the nation sometimes took two days off for a feast. We observed and learned about Islamic practices at microcosmic levels. The guardians prayed together on the street during the day, facing Mecca. Everyone washed before prayer. The high point of the week was the Friday afternoon 2:00 PM visit to the mosque. Downtown, the streets became so flooded with men in richly embroidered boubous moving in groups toward the mosques that some main streets were blocked off by police.

And everywhere there were the talibes, the children given to the marabouts or "priests" to support them through work and begging. Barefoot, often with shaved heads, they swarmed around visible foreigners, holding out large tomato paste cans and demanding money. We learned to joke with them and to resist their clutches, saving our coins for the handicapped who populated the downtown streets, some with children in their arms or bound to their backs. Islamic practice encourages sharing with the poor, especially during the Ramadan fast days. In a culture where the dispossessed are everyone's responsibility, we were often struck by the paradox of more poverty and more caring.

Women are less visible in their religious practice. (My guardian's account, that they could go to public prayer but preferred not to, spoke volumes.) But women in Senegal differ profoundly from their North African counterparts. No veils for their proud, beautifully coiffed heads. Brilliant colors, rich jewelry, wide necklines that expose a sensuous curve of shoulder. Their relationship to Islamic (and Catholic) dictates about male pre-eminence is complex. Polygamy is permitted by state law in Senegal, with up to four wives allowed. Many feel it is a stabilizing force and that the increase of divorce is alarming; others defend the secular state as a protection against the still-current practice of repudiating a wife. Under family code legislation of the seventies, men must declare for either monogamy or polygamy before the first marriage, though the majority still "keep their options open." In Senegalese literature, more than anywhere else in Africa, women have begun to break the silence about the personal cost to them and their children of polygamy.

In increasing numbers women in Senegal are becoming literate and finishing primary school. About a fifth of my university students were women, though far fewer finished degrees. Although the average number of children per family is seven, mothers with professions tend to have fewer children; among my female colleagues the number averaged about four. Issues concerning women's equality are highly controversial and passionately discussed. There are women in the government, but the only head is in the ministry of the family. Women's political organizations tend to stay behind the scenes, but exert considerable influence in some elections. Women generally have little access to state capital for financing small businesses, but some have formed groups and tapped non-governmental organizations (NGOs) to fund successful small business initiatives.

These issues--a manageably-sized family, economic self-determination through paid work or access to a profession, a reasonable education and future jobs for their children--defined the liberationist spirit of many women I met, and was a far cry from how they were portrayed by some Western feminists as politically and sexually oppressed. At least in urban Dakar, polygamy is not universal, excision is relatively rare (under 20% for the country, and primarily in rural areas), women are visible in offices, and many have some economic power. Yet domestic violence remains an issue throughout Africa, as it does in the First World, and critique of institutional structures can bring sharp retaliation. A woman university professor who suggested at a colloquium on AIDS that polygamous practices could contribute to the spread of AIDS was denounced by her colleagues, criticized harshly on television, and received a death threat. Both striking divergences from and underlying parallels to the West seemed evident in women's initiatives for more visibility and voice in public culture.

The University and Teaching

Université Cheikh Anta Diop (UCAD, named after a brilliant Senegalese poet, scholar, and theorist of Négritude) is a world unto itself: no longer the only university in Senegal, but, with about 20,000 students, the oldest and one of the largest in West Africa. Teaching in an African university is a startling cultural reorientation for an American professor. Cultural contradictions abound. The campus of the UCAD, located northwest of the center of Dakar, along the stretch of the Corniche or Coast Highway across from the "body-building beach" where fitness fans (men only in this Islamic country) work out, is vast, populated with numerous schools, institutes, and halls, and abloom with tropical trees; but the affluence is partial. Although UCAD is one of the best supported and best-functioning universities in West Africa, it lacks much that Americans consider essential. Chairs and tables, electrical outlets, and office equipment are furnished, but classrooms are shabby and dirty, with painted-wall blackboards, chalk that crumbles to white dust, and poor ventilation. Audio-visual equipment is rare; I borrowed mine from USIS. The campus bookstore is a few tin-roofed shacks where piles of used books are heaped up by discipline for those lucky enough to afford them. But places in the university are coveted as the only means to professional employment and, for many, a way to live outside the family structure in a dormitory (with four to seven other students in rooms designed for two).

At first we were most aware of the privations of education. The book famine, widespread and devastating throughout Africa, made it difficult to put books in the hands of students. Due to a combination of taxes and inflation Western books are prohibitively expensive, and few African texts exist or stay in print long. (Like my colleagues I went to the Kolobane flea market to find affordable or out-of-print books). In my department, English--which includes American, African, and British literatures in English--the British and American information agencies in Dakar order Western texts for students (the British sell them, the Americans donate them). Professors also place a copy in the cultural centers and the department's library (open 9:00--11:30 AM and 3-5 PM, Mon. through Fri., if someone staffs it). But most often, a few students share a single copy of a text; it is rare to have all the books for a course. The American novels and textbooks I used--Faulkner, Poe, Franklin, Douglass, Gloria Naylor, Hughes, and others--were considered challenging reading. For Senegalese, English is at best a third language, coming after Wolof or another of the six ethnic languages of Senegal, and French, the language of instruction in schools. Other supplies--pens, notebooks, folders--were extravagantly expensive. My son's notebook for French class cost \$8--a comparable one would have been \$1.49 in the U.S. Pens are coveted. Typewriters are scarce among students, and word processors rare prizes for faculty members. The masters' theses I read were laboriously handwritten drafts for my "correction" before submission to a center for typing or word processing and binding after the thesis defense. Though most students had partial scholarships for expenses and paid no tuition, they lacked the spending money for texts and supplies that we take for granted as the student's responsibility.

Senegalese students are highly (and appropriately) critical of the university's antiquated system of standardized, rote examinations for degrees and angered by its crowded conditions and the difficulty of achieving significant reform. The elite send their children to Europe or North America for education. In the English Department

the lack of available faculty members evoked both anger and despair. There are twelve to fourteen (depending on leaves) faculty members for 3,000 students, 1,000 of them in the first year of study; the faculty's mission, theoretically, is to fail four fifths of students each year to keep the numbers manageable. Classloads are oppressive: the norm for members of the English department was ten or more once-weekly, lecture-only classes a year at the assistant professor level, each to a hundred or more students; one colleague had fifteen hours, plus several master's thesis students. My load of four lecture classes and 55 master's students was considered privileged.

Faculty salaries, though higher than those of many doctors and lawyers, are lower than for high school teachers (sound familiar?), and low enough that most faculty moonlight in least one other job. Not only work loads and low wages, but congeniality itself, stands in the way of sustained writing. One colleague said his work was hampered by the social customs of the Senegalese, who prize greeting and visiting; he complained that his friends "cannot say Hello in less than half an hour" and despaired of finding time away from his office to do the publishing that might move him into a North American job. Research is also impeded by inadequate libraries, scarce current research material, and scant opportunity for travel abroad. Yet my colleagues were lively, engaged, aware, hungry for information about Western literary issues, especially postcolonial criticism and African American writing.

In a climate of such pressure and privation, not surprisingly the students stage strikes. The year before our arrival, the major strike was initiated by high school students in the lycées, then spread to the university where it lasted for over two months. The November-June calendar was expanded into August. Faculty graded hundreds of hand-written exams and conducted oral exams through December, some on texts not, or barely, covered. The 1992 academic year effectively began in January '93, then was shut down for six weeks in February for a student-led strike that conveniently coincided with the presidential election, when many students went to villages to work for one of the eight political parties. Surprisingly, a strike was averted during the subsequent legislative elections in the spring that climaxed with a political assassination, as the rector negotiated with students to avoid an "année blanche," a "blank" year in which no coursework would count because the required 26 weeks of classes were not met. We taught through the end of July, and exams for the year remained to be given in the fall, long after my departure. (I left exam questions for my successor, as my predecessor had done for me--not the ideal way to get to know one's students.) Through a variety of routes education occurred--before and after the strikes and, in different ways, during them.

The faculty also called strikes. When, in October, workers at the national electrical company staged an unprecedented strike that cut off electricity for four days and a sympathy strike shut down the water supply, paralyzing Dakar, the "Central Syndicate," comprised of fourteen unions, including teachers and workers at the university, supported the strike in solidarity. Faculty struck again in late spring in protest at another protracted year in which grading in August and September would derail their vacation months. But both times they remained visible on campus and usually in classes, to my mystification. Their commitment to both strikes and course responsibilities was firm, and the possibility of significant improvement in their workload and salary unlikely. Indeed, the month after we left, salaries of civil

servants, including faculty, were cut across the board by fifteen percent, and a devaluation of the CFA, the West African currency, appears imminent. A recent letter from a friend at the national teaching college despairs of continuing to be able to support their five children and her parents, even on two academic salaries, and bemoans the 360 handwritten exams she was reading during the "vacation" months when she was expected to do research and writing.

But if the privations of education at UCAD are severe, the rewards are heady. Most students are passionately interested in mastering English and spending time in the country of "the American dream." The Fulbright professor is sought out and cultivated. Students assert their opinions vigorously, and with as much research support as the scarcity of books allows. I found my Senegalese students similar to UM students in their love of and skill in discussion, but more passionately political. They are vocal about national politics and the oppressive French colonial heritage; hopeful that pan-African liberation movements will encourage economic and social enfranchisement; galvanized by Malcolm X, Bob Marley, and the critiques made by African American writers of racism at the core of American society. After a term of oral presentations and discussion with one student group on aspects of American life, they concluded that virtually no analogies in social structure and organization existed between the US and Senegal; but in no way did that lessen their determination to visit and see for themselves.

Though my courses were surveys of American movements and authors, it was impossible to view them apolitically in the shadow of Goree Island. Indeed, dialogue about race, class, and gender contrasts between the developed and developing worlds informed conversations in interestingly nuanced ways. I spent many hours in friendly, lively discussions with students on aspects of race relations in the US. Often a student would point to differing depictions of American life in the writings of say, Richard Wright, Upton Sinclair, and Lorraine Hansberry, and ask how those inequitable worlds could be part of "the American dream." Perhaps the most difficult teaching unit was on the history of slavery in the US, as exemplified in the autobiographies of ex-slaves Olaudah Equiano and Frederick Douglass. In those accounts the brutal realities of humiliation, torture, and lynching became vividly alive to students and the American notion of "the self-made man" took on new meaning. As I lectured about and showed films on slavery to an audience familiar with French colonialism but rarely with its American counterpart, sweat rolled down my body at the shameful national history that continues to haunt us. It also came as a surprise to students that, a century after the Civil War, economic inequality continues in the US. Responding to Gloria Naylor's The Women of Brewster Place, students shook their heads at the unemployment, hunger, and brutality her novel depicts. When, in a serendipitous moment at the end of the course, Gloria Naylor came to Dakar and lectured to them on her vision of America, they--and I--discovered a complex vision of the opportunities and oppressions, optimism and cynicism, that are interwoven in contemporary American life.

Research, Travel, Opportunities

Clearly the Fulbright year was educational for us as much in daily interactions as in formal research; I was the teacher taught by the generosity and enthusiasm of my students and the weary dedication of my colleagues. Perks in the usual sense were,

however, also available. The delayed teaching year allowed me to finish several writing projects. With a Mac laptop computer, a printer with a 220-volt adapter (purchased at four times the European price in Dakar), and a modem loaned by a friend (hooked up via CompuServe), I had the writing set-up needed to correspond with my co-editor in New York and US friends. Mail through the US government pouch was reliable, if slow, and faxing widely available.

Research in a conventional sense was more difficult. Dakar is home to several archives, notably the IFAN (Institute for Francophone African Studies) collections of the former French government, and has three good bookstores and an extensive university library. But library access is restricted, many items missing from collections, and scholarship by Africans on aspects of African literatures as yet relatively rare, due to lack of support and publishing opportunities. Opportunities for discussion and first-hand cultural investigation, however, abound, and some of my colleagues worked in research areas similar enough to my own that they could provide invaluable perspectives on my topic. It was not difficult to meet Senegalese scholars whom I wanted to interview, provided they were in the country. Often the challenge was simply establishing who knew whom, and where they worked. Fulbright auspices can open doors. Those foreign researchers who knew Wolof and weren't tied to Dakar by dependents often developed successful field research projects in outlying areas for innovative projects on, for example, oral literary culture.

Potential opportunities for presenting research also exist. At the annual francophone African conference on American studies in Dakar, I met numerous Fulbrighters and African researchers and, not without difficulty, presented a paper in French (ironically enough, on American literature as a comparative discipline). The student-run English Club prevailed on me for a Saturday-afternoon forum and would have scheduled one every week, had I not learned the importance of saying no. It is more difficult to attend international conferences, such as the biannual FESPACO festival on African film in Ouagadougou, because information is scarce, available rooms relatively few.

Travel was also a perk, though not in the sense we had expected. Because obtaining visas was often time-consuming and difficult, airfares exorbitant, and land travel a leisurely adventure, we saw less of Africa than we had hoped; but our encounters were memorable. With current or former faculty members visiting from UM, we went to several places. An overland trip on potholed roads to The Gambia, a needle of land located within Senegal formerly colonized by the British and the site of Juffure, the village of origin in Alex Haley's *Roots*, was an adventure in driving. Trips to St. Louis, the northern former capital, introduced us to the excellent faculty of its small university and its desert landscape. A week-long bus trip through Mali to Dogon country was occasionally hair-raising but an endlessly exciting immersion in a more rural inland world. We also went with our guardian to his village and would have been happily accompanied by our housekeeper to hers, had the political situation permitted. I realized with regret that a year is too short a time for the travel I wanted to do in West Africa alone, and consoled myself that it's a good reason to return.

Was our Fulbright year in Dakar challenging? Yes, and often in unexpected ways, though we stayed healthy, solvent, and safe. Was it interesting? Always. Would we do it again? In a minute!

A Scholar in Politics: A Personal Account

by

Robert G. Natelson¹

There is nothing like a lengthy experience in another place to make one look anew at one's home -- and to enable one to assess more objectively both the good and the bad.

In the spring of 1991 I returned to Montana after a ten-month visitorship at the University of Utah College of Law in Salt Lake City. I found that the sojourn had enabled me to appreciate better Montana's many virtues, but it also alerted me to something wrong.

In Salt Lake I had come to admire the entrepreneurial spirit of Utahns, the upbeat "can do" attitude that accompanies a healthy economy. I had noticed a similar spirit when I lived in Colorado, prior to my academic career. Both states find themselves able to afford more of almost everything -- including relatively well-financed university systems.

In Montana, by contrast, private sector players seemed to feel discouraged, even besieged. Business was hard, good jobs rare. People who had raised their families here were seeing their children leave for greener pastures. Public and private sectors seemed bogged down in trench warfare over slender spoils.

When I returned to Montana I had just finished the latest in a seven-year procession of articles and books, nearly all of which were on legal topics of national interest. I had done little work on Montana law and policy questions, despite our law school's strong institutional expectation that faculty members do so. I was intrigued, however, by my informal observations of Montana economic life. Was our economy really underperforming those of other states? If so, how long had this continued? What might explain it? Could legal reform help make a difference? If so, what kind of legal reform? I decided to pursue these questions with the same single-mindedness that had characterized my research on other topics.

Initially, I sought to answer the first and second questions: Were we underperforming other states and, if so, for how long? I learned that the answer to the first question was "yes" by almost any measure -- job creation, personal income growth, capital formation, non-farm income -- Montana had underperformed not merely the nation but the rest of the region. The answer to the second question was that, despite the energy boom in the years around 1980, the long-term underperformance seemed to date from about 1975-76. In personal income growth over the period 1976-90, for example, Montana underperformed the rest of the nation in 12 years and outperformed only three times (1978, '81, and '89).

The next task was to cast about for possible explanations -- hypotheses to be tested. In search of hypotheses, I reviewed literature and solicited ideas from business people, academics, economic development experts, and many others. In order to widen the search beyond the professional "loop," I solicited ideas through newspapers and newsletters, initiated much correspondence, and undertook some travel. When I traveled I often would stop in

unexpectedly on business people who had never spoken to a university researcher before; ask them how business was (usually they said it was poor); and probe their thoughts for symptoms and explanations.

As might be expected, many of the "explanations" for Montana's underperformance -- whether proffered by experts or laypersons -- were not helpful as such. Some suggested "causes" merely *described* rather than explained the results (e.g., "Montana relies too much on extractive industries"). Others were just as true of other states that had outperformed Montana (e.g., sparse population). But several hypotheses seemed plausible enough to merit further examination. They were (1) taxation (level and structure), (2) workers' compensation, (3) governmental spending and priorities, (4) regulatory inefficiency, (5) tort liability rules and administration, and (6) educational policy. By far the most frequent complaint was taxation, especially if one adds to this heading workers compensation -- because for most Montana companies, workers compensation premiums are taxes in every respect but name.

Next, in consultation with academic economists, I sought to determine the extent to which research had found causality or association between each of these factors (as independent variables) and comparative state economic growth (as the dependent variable). I was surprised at the gaps I found. For example, complaints about liberal liability rules are common everywhere (not merely in Montana), but I was unable to find any statistical correlations between differing tort standards and comparative state economic growth. There are some studies that purport to trace connections between spending priorities and the economy, but they do so only in the broadest terms. They tell us that physical infrastructure spending is either positively-correlated with subsequent growth or neutral, and that redistributive policies and federal aid are negatively-correlated. But the available literature yields little else of importance. For example, different researchers have obtained positive, negative, and inconclusive results when looking for associations between education spending and economic growth.

On the other hand, over the past 15 years,² researchers repeatedly have found statistically significant associations between particular measures of relative state tax burden and indices of subsequent comparative economic growth. Moreover, researchers have documented even stronger associations between relative *changes* in those measures of tax burden and the same indices of subsequent comparative economic growth. Many studies also have been done to determine which specific taxes are more or less economically-friendly, but except for substantial (but not totally uncontradicted) evidence that progressivity is harmful, the results have been inconclusive.

Montana's experience with taxes and spending was just as the researchers might have predicted. The years 1969-73 in Montana were characterized by economic growth, but also by tax increases far exceeding that growth. Montana's tax burden³ rose not only in absolute terms, but relative to other states. Hikes in progressive levies led the way. As noted above, the turning point for Montana's economy occurred around 1975-76. In subsequent years, our relative tax burden continued to drift higher, peaking at fifth in the U.S. in 1985, after which it began an inconsistent decline. The economy remained poor until a partial recovery began about 1989.⁴

While association does not absolutely prove causation (and certainly not exclusive causation), I thought the circumstantial evidence sufficiently strong that Montana policymakers should be informed of it. So in late 1991 and 1992, I contributed several articles on tax issue to the *Great Falls Tribune*, the paper most widely read by state politicians. At the request of citizens who had seen those articles, I also described the findings in public fora attended by present and prospective state legislators.

Official reaction was mixed; I changed few minds. Policymakers favoring lower taxes liked my articles; policymakers favoring higher taxes did not. In the former category was Republican Governor Stephens, who enlisted me for his Tax Policy Group, where I enjoyed a stormy but stimulating tenure. (My academic conclusions led me to disagree with several important administration policies.) Among those who found my conclusions distasteful were persons connected to the Democratic legislative majority, some of whom issued pre-emptory demands for my sources, but showed little or no interest in reading them.

In July, 1992, the legislature's Democratic majority responded to an impending budget deficit by enacting a broad-based seven-percent tax increase: the "7% solution." Governor Stephens, who was not running for a second term, decided to let the measure become law without his signature -- reportedly so the Republicans could run against it in the 1992 campaign. They did this successfully: roughly holding their own in the Senate, seizing the majority in the formerly Democratic House and retaining the governorship.

On taking office at the beginning of 1993, Governor Racicot and the legislature faced another impending budget deficit. In retrospect, it is clear that state authorities exaggerated the size of this deficit. Nevertheless, it *was* significant. This deficit had been predicted by mid-1992, and soon thereafter I began a series of articles and speeches in which I offered alternatives to state tax increases. I redacted into lay terms the precepts of "reinventing government" (essentially the practical application of public choice economics), reported that several of the nation's governors had used these techniques in closing proportionately-larger budget deficits without tax hikes, and offered numerous concrete examples of how these techniques might be applied in Montana.

Several aides to incoming Governor Racicot were familiar with my conclusions, as were most Republican legislators, all of whom professed deep concern for the condition of the Montana economy. I therefore could hope they would honor their pledge to "reinvent government" before seeking higher taxes.

I was disappointed. In the weeks following his election, the new Governor and his allies in the legislature proposed an astounding array of tax increases -- and almost no "reinventing." Their proposals would have raised state levies about 30 percent, far in excess of the projected deficit. Moreover, by endorsing a study of two new, expensive health programs, the Governor seemed to be committing himself to even higher taxes in the future.

Few Republican legislators had the stomach for challenging the Governor. Even fewer Democrats expressed concern. The press treated the tax hikes -- other than the proposed sales tax -- as obviously necessary and as good as done. Opponents were marginalized into

insignificance.

In early 1993, it seemed to me that Montana was being pushed blindfolded over a cliff. Most potential rescuers had no idea what was happening. The few who understood were doing nothing to help. I watched in horror, feeling helpless and alone.

There is, I believe, a time in the life of every citizen when he or she is called upon to set aside all private concerns and devote all one's free time to one's civic responsibilities. Before 1993, my turn had not come. Now it had.

After discussing the matter with my wife Betty, I and a few others formed Montanans for Better Government, which subsequently qualified as a registered political committee. We chose the name because we wanted to emphasize the positive part of the message. We knew that many would try to brand us as a group of greedy tax protestors with nothing constructive to offer. (As it turned out, they were not dissuaded.)

Over the next few weeks, we publicized widely our ideas on taxes and spending. We helped run an informal "no new taxes" petition drive that garnered perhaps 40,000 signatures. We lobbied in the Capitol and distributed literature. We offered seminars. We wrote to the newspapers. We got on the radio. We generated correspondence to lawmakers and the Governor.

But the effect of our work was slight. Most state policymakers ignored us or characterized us as an irrelevant fringe group. When the curtain came down on the 1993 general legislative session, they had saddled Montana the nation's second largest (proportionate) state tax hike of the year. And at the Governor's insistence they had referred to the voters a sales tax that, if approved, would have doubled the increase.

We announced against the sales tax. Our membership, which was now skyrocketing, was split on the theoretical advisability of a sales tax, but almost all agreed that the Governor's proposal was unacceptable. We knew that any economic benefit from tax redistribution was likely to be swamped by the sheer magnitude of public sector expansion. The proposal would have raised net state taxes nearly 15%. Moreover, despite its promise of a one-time property tax cut, it contained terms that ultimately would have driven local mill levies higher.

Montanans for Better Government was only one of several groups opposing the sales tax, and initially we were not seen as an important player. It was widely believed that organized labor, which favored higher income levies, would be the lead opponent to the sales tax, as had been the case in 1971.

But at least three factors made 1993 different from 1971. First, people were more skeptical of government and most did not believe it deserved any more revenue. Second, the new "reinventing" techniques -- honed since 1971 throughout America and Europe -- offered a viable alternative approach to the state's long-term fiscal problems. Third, I announced that if the voters defeated the sales tax, we would use the state constitution's petition referendum

process to give the voters what they had not enjoyed in 1971: the right to vote on the backup income tax also.

The sales tax campaign gave me an opportunity to travel the state as I never had before. I flew in a lot of small planes, with some good (and not-so-good) pilots. At 14,000 feet, I graded papers and wrote a supplement to my latest legal treatise. I twice debated the Governor in statewide broadcasts. I arranged my schedule to avoid conflicts with my duties at the University. I didn't miss a single class or committee meeting. But I didn't get much sleep either.

A member of the Governor's staff told me subsequently that they figured my campaign had added at least 15 percentage points to the 75% "no" vote on the sales tax. This additional margin was important, for had the measure been defeated, say, 58-42, early resurrection was likely. Now it would stay dead.

Defeat of the sales tax meant that Montanans for Better Government would now be expected to honor its pledge to send the backup income tax (House Bill 671) to referendum. One obstacle we had to overcome was the requirement that the form of our petition survive a lengthy state approval process. Another was the fact that we had almost no state organization. And a third was that we knew that it was not enough to obtain signatures from the five percent of the electorate necessary to send the measure to referendum. We had to suspend the law to keep the state from collecting revenue under it. Besides the economic risk from the higher tax, non-suspension followed by subsequent defeat might be far more disruptive than suspension. This was because the law had been made retroactive to January 1, 1993, and by the time of the election (November, 1994) the state would have been collecting revenue under it for almost two years. Depending on how the constitution were interpreted, there was a chance the state would have to refund all the money collected. Moreover, retroactive taxes -- especially sweeping retroactive changes like House Bill 671 -- are disruptive of household budgets.

There were further reasons for suspension. House Bill 671 repealed the income tax deduction for charitable and educational giving. We saw this as a far more serious danger to the poor and to educational institutions than any temporary leveling in the rate of appropriation growth. Immediate suspension would affirm public confidence in these deductions.⁵

In most referendum states, measures that qualify for the ballot either do not take effect or are suspended automatically pending the vote. But the Montana constitution requires a higher signature total for suspension than for referendum: 15 percent of the voters in each of a majority of the 100 house districts. At first, the media analysts seemed to think this would be easy to obtain, but they soon changed their minds, and with good cause. No Montana law had been suspended by petition since 1958. The 1972 Constitution had made the process much more difficult. Further, although early press reports claimed we could obtain suspension with 26,000 signatures, we knew from the outset that the practical minimum was at least 50,000.

Complicating the problem was shortage of time. Statutory provisions have whittled down the constitution's grant of six months for the process. By the time the form of our petition had won approval, we had only 12 weeks left. We had little organization in place and insufficient funds to hire coordinators or circulators.

In addition to gathering signatures, we had to continue to answer questions about how, if suspension opened a gap in the budget, that gap should be closed. Thus, simultaneously with the petition drive we had to pursue our campaign to educate Montanans about the principles and application of "reinventing."

Another obstacle was the political opposition to the petition drive. During the sales tax campaign, we had faced opponents who played hardball, but basically fair hardball -- at least within the broad latitude conceded in politics. This was not true, however, of our opposition in the petition drive.

The bad examples started at the top. Hitherto respected public figures engaged in demagoguery and misrepresentation. Several legislators implicitly and explicitly threatened my job. Some officials used public resources to finance the anti-petition campaign. And from opponents less highly placed, we encountered instances of libel,⁶ religious bigotry, and McCarthyism -- the last from an avowed "human rights" group.

Those were the opposition's public tactics. On the clandestine level we encountered repeated incidences of vandalism, destruction of petitions, harassment, and various forms of physical intimidation (including a death threat).

Acting on the belief that sunlight is the best disinfectant, we sought to counter the worst tactics by reporting them to the press and, where appropriate, to the police. In general, this response seemed to reduce the flow of bilge. We had to go further to stop the raids on the public treasury: We filed a lawsuit in Helena District Court against several public officials.

Because at that time our statewide organization was still small, Montanans for Better Government could never have run the petition drive alone. Fortunately, we were aided by seven other groups with agendas overlapping (but not identical to) ours. The largest of these groups were Christian Coalition and United We Stand America (Montana). The leaders of the two major parties either opposed the drive or were unhelpful, but hundreds of grassroots Republicans and Democrats circulated the petition anyway. In addition, a handful of legislators carried it, former Governor Stephens endorsed it, and Dave Lewis, the state's independent budget director, risked Governor Racicot's disapproval by publicly signing it.

In consultation with our allied groups, we divided the state into regions and the regions into counties. Each region had a petition coordinator, who in turn appointed a coordinator for each county. Virtually all the allied groups contributed one or more county coordinators. When it became clear that we could not afford to pay for an experienced statewide director, my wife Betty (a social worker and writer with no political background) agreed to devote the next few months to the job. Friends, neighbors, and babysitters helped

with our three small children.

I also devoted full time to the task, passing up most of the summer money I normally get for writing and research. (I did take on a small curricular project.) As in the sales tax campaign, I traveled throughout much of the state.

Our drive was financed on a shoestring. The median financial contribution was about \$20. Fortunately, there were a lot of them. About a half dozen cash contributions exceeded \$250. None exceeded \$1000. Except for a brief experiment with paid petition carriers, we relied exclusively on volunteers -- most of whom had no prior petitioning experience. But outside Missoula County, the petition virtually signed itself, and even here about 50% signed. In view of this overwhelming response, there is little doubt a majority of the entire electorate would have subscribed if we had had the organization and time to present the petition to everyone.

A spurt of effort after Labor Day put the petition drive over the top. By September 24, we knew we had succeeded, but until October we remained unaware of the magnitude of our accomplishment. We needed perhaps 50,000 signatures; we gathered 90,000, or 22% of the electorate. We needed 15% in each of 51 house districts; we gathered 15% in 90. We qualified at referendum levels in all but one house district.

The suspension of House Bill 671 induced the Governor to call the legislature back into special session. We had three priorities in preparing for that session: (1) present ideas for legislative consideration, (2) contact lawmakers who might be interested in sponsoring our bills, and (3) establish and operate a lobbying organization. For the first task, we relied heavily on the Better Government Task Force, our statewide brain trust. For the most part, the second task proved easy, as lawmakers came forward to help us. Our lobbying organization was based on the Montanans for Better Government component of the petition drive organization.

My experience this year has taught me to expect ludicrous charges, but still I was amazed by the assertion from legislative opponents that Montanans for Better Government did not participate in the special session. My phone bills and mileage records tell a different story. So also can our registered lobbyist (former Sen. Bill Norman), the landlord that rented us our Helena office, and the hundreds of volunteer lobbyists who showed up to promote issues like school and university reform, competitive contracting, liquor privatization, truth in budgeting, and public employee incentive plans.

Our lobbying efforts yielded several important results. Two measures we strongly supported -- cost-saving incentives and truth in budgeting -- were enacted into law. Numerous individual legislators introduced restructuring proposals similar to those we had been promoting since 1991. On the other hand, most of these were rejected in favor of more traditional budget cuts.

I would like to close by answering two personal questions often raised: (1) "How can you take all the political abuse you receive?" and (2) "How does this political activity affect

your identity as a scholar?"

I have been told by people who would know that the volume of statewide political abuse I've received is virtually without precedent in recent Montana history. There is no question that my family and I have paid a high price for the stand we have taken. But in the past, many Montanans have paid a higher price because of ill-advised policies, and it is those policies I seek to change. For the future, I think of my children and the kind of state in which I want them to live.

I also find it helpful to remember that the most unfair criticism has come from political rent-seekers rather than from ordinary Montanans. The more vitriolic these rent-seekers become, the more determined I become that they shall no longer misuse the people of our state.

The second question -- the interaction of politics and scholarship -- is more difficult. I have tried to resolve it in part by applying scholarly standards of truth to my political discourse. I have been as careful as possible to make no factual assertion that is not independently verified, and to attach appropriate qualifications to conclusions that are probable rather than certain. Undoubtedly, this caution is a short-run disadvantage in political battles, where issues usually serve merely as weapons with which to bash the opposition. But I could not function effectively in any other way.

One must remember also, that my speciality, law, is closely tied to politics. Our law school has always expected, indeed required, its faculty members to contribute their knowledge to the political life of the state. Perhaps this is because just as a law professor should have experienced the courtroom, where law is applied, so he should know also the political process, where law is made.

A scholar who does not permit politics to shatter his scholarly values, should emerge with them strengthened. That is certainly my hope.

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ENDNOTES

1. Professor of Law, University of Montana and Chairman, Montanans for Better Government. The opinions expressed are those of the author and not necessarily those of any other person or institution.
2. Earlier studies were inconclusive because of cruder methodology, less reliable data, limited access to computer power, and experimentation with non-predictive measures of tax burden, such as per capita taxation.
3. In studies documenting associations between tax burden and subsequent economic growth, the measure of tax burden used most frequently is aggregate state-local taxes as a percentage of personal income. It is helpful to use this measure in conjunction with total state-local revenue from in-state sources as a percentage of personal income. The latter figure includes

some voluntary payments (e.g. tuition) but also many true taxes disguised as "premiums" or "fees." The discussion in the text relies on the first measure, but Montana's ranking on the second measure is usually even higher than the first.

4. A common rejoinder is that Montana's economy is heavily dependent on resource prices. This does not explain why most nearby states have developed non-resource alternatives while Montana, by and large, has not. Through much of this period Montana personal income growth underperformed the region by an even wider margin than the nation as a whole.

5. Also potentially disruptive were H.B. 671's retroactive repeal of deductions for home mortgage interest and for uninsured and unreimbursed medical expenses. The latter deduction is of particular importance for moderate income families, who are less likely to have medical insurance.

6. The best known case of libel came later: The charge that I deliberately based the petition drive on a faulty Census Bureau datum. In fact, the figure played only an insignificant role early in the sales tax campaign (as one of many I cited) and none at all in the petition drive. This was because I had discarded the datum in May, after discovering that it contained an error of uncertain magnitude. (The petition drive began in July.) Ironically, while I later learned that the Census Bureau had overstated 1990 Montana state-local tax revenue by about \$100 million, but in the interim Montana taxes had risen by about \$200 million!

Actually, the *opponents*, not the proponents, based their campaign on faulty tax data. The opposition repeatedly (1) misstated 1991 relative tax burden and (2) mistated the impact of H.B. 671 on moderate income groups. To this day, petition opponents continue to repeat these misstatements.

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Reflections

First Movement For the Establishment of the University of Montana as told by E.E. Hershey to Paul C. Phillips

The state of Montana was admitted to the Union in 1889. The question of institutions for higher education was discussed in the two or three years following the admission of the state.

Among the cities of Montana there were various claimants for the location of the University. There was some discussion as to what should be the character of this University.

Paris Gibson, who was elected a member of the Legislature in 1892, was very insistent that the University should be consolidated. He hoped to locate it in the new but rapidly growing city of Great Falls.

He had worked to strengthen his position by securing the endorsement of presidents of already established universities. From most of them were received reports approving the idea of a consolidated University. The President of the University of Wisconsin replied in favor of a divided University.

This was the situation in the late fall of 1892 when some of the citizens of Missoula became interested in the question of the location of the University. Among the most active persons concerning the location of the University at Missoula were: W. J. Stephens, Jno. L. Sloane, James L. Hamilton (Superintendent of City Schools), L.A. Woodward, Frank Higgins, Frank E. Woody, F. C. Stoddard, M. L. Crouch, E. A. Winstanley, E. C. Stiff, and Elmer E. Hershey.

Late in December 1892 a meeting was called in the law office of Musgrove and Crouch in the Hammond Building, in Missoula. At this meeting an organization was formed, known as the Missoula University Club. The following officers were elected: J. M. Hamilton, President; L. A. Woodward, Secretary; E. E. Hershey, Treasurer. The Executive Committee was E. A. Winstanley, J. M. Keith, Jno. L. Sloane, H. C. Stiff, F. C. Stoddard, M. L. Crouch.

This University Club planned to influence the Legislature which met on January 1st, in the interest of establishing the University at Missoula. Subscriptions were taken and a small sum of money was raised. Probably the most active one in raising money for this University Club was Judge W. J. Stephens. He was probably the first to sense the importance of the location of the University at Missoula. He organized the Weekly Club, each member of which made a weekly contribution for the support of the University Club. Stephens raised more money than any other one.

Frank Higgins, President of the C. P. Higgins Western Bank, was also a financial factor. He authorized the University Club to write checks on the bank to an unlimited amount and promised to take care of all expenses.

Among the first subscribers were C. H. McLeod, manager of the Missoula Mercantile Company, and J. M. Keith of The First National Bank, both of whom subscribed \$25. Both of these men paid the subscription in cash. The list was then taken to A. B. Hammond who owned both the Missoula Mercantile and The First National Bank. When Mr. Hammond saw the names of Mr. Keith and Mr. McLeod he said, "G-- D-- it, when I am in Missoula I am head of these institutions." He then scratched out the names of Keith and McLeod and wrote down his own name with a subscription of \$150.

Soon after the University Club was organized a committee was planned to go to Helena to lobby at the approaching session of the legislature. J. L. Sloane went to Helena immediately to make arrangements for headquarters for the lobby committees. He secured quarters at the Helena Hotel and he spent a great deal of money to influence the legislature. Harry O. Collins, an experienced and able newspaper man was hired to write editorials to influence public sentiment in behalf of establishing the University at Missoula. His home was in Missoula and he moved to Helena to get in touch with the legislature. The Missoula University Club sought the cooperation of prominent people of Butte, Dillon and Bozeman. Dillon and Bozeman were both very much interested but Butte was indifferent.

When the committee was appointed Judge Francis who was representative and attorney for the Northern Pacific at Missoula gave twenty-five passes for the committee and lobbyists to go to Helena. When the committee arrived at Helena the thermometer was 52 below zero. The committee began active work with members of the legislature to influence them in behalf of the bill for a segregated University. Judge Sloane at Helena took care of most of the expenses. For instance, an expense account rendered January 21, 1893, included: 5 gallons of whiskey, \$25; 1 case of beer, \$5; 2 dozen appolinaris at \$9.60; 1 case Ruinart Peutz, \$42; 200 Empress Augusta Cigars, \$18; 100 Juan Meneudez Cigars, \$10; 50 Grand Opera Cigars, \$6; Corkscrew, \$1. On February first there was a bill of \$52 for cigars, and \$12.60 for beer. It was apparent that whiskey and tobacco were used quite extensively to influence the legislators. J. L. Sloane and J. M. Hamilton it seemed were the leaders in the lobby at Helena.

In addition to treating the legislators the committee tried to gather facts to support their bill. Judge Sloane sent telegrams to the presidents of the following institutions: Purdue University at Lafayette, Indiana; to the Schools of Mines at Rolla, Missouri and at Golden, Colorado; to the Kansas State Agricultural College at Manhattan, Kansas; to the State College of Agriculture at Ames, Iowa; and to the University of Wisconsin, as well as to a number of other universities. These telegrams requested the opinions of the presidents regarding the advisability of establishing a segregated institution for the University of Montana. All these presidents with the exception of the president of the University of Wisconsin replied in favor of a consolidated institution instead of segregated institutions. Senator Ed. Matt from Missoula County was to present the bill to the legislature and to speak in behalf of it. Matt was a fine orator but very lazy. All the materials for speeches were prepared by Judge Sloane and Professor Hamilton and probably some other members of the committee. When the bill came up for consideration in the legislature, Paris Gibson made a great speech for consolidation. He read a long list of telegrams from presidents of state universities throughout the country, all of whom

stated that Montana ought to establish a consolidated university. From this list of university presidents who favored consolidation, there was omitted the name of the president of the University of Wisconsin. Matt then asked Gibson for the telegram from the President of the University of Wisconsin. Gibson evaded the question and Matt then read the telegram from the President of the University of Wisconsin favoring a segregated institution. This carried the legislature which adopted the bill for the establishment of four institutions of higher education.

In the legislature which met in January 1895 the advocates of the segregated university were in force. E. E. Hershey was a member of the legislature from Missoula County. Bozeman and Dillon both sent representatives who advocated the segregated university. The representatives from three counties, Missoula, Gallatin, and Beaverhead then united to get money appropriated for the establishment and maintenance of institutions in their respective counties. Already there was a large land grant and some money available from leases and sale of university lands. Hershey introduced H. B. 8 authorizing release of the funds on hand for the various units of the State University. This bill was passed and the institutions were soon in operation.

[Editor's Note: Paul C. Phillips served on the faculty of the university as Professor of History. His career spanned the years 1911-1954. We are indebted to the donors of the Lucille J. Armsby papers, soon to be available in the archives of the Mansfield Library, for making a copy of Professor Phillips's paper available.]

Twisted Titles

As transmitted by Howard Reinhardt

Twisted Titles is an amusing game which requires no special equipment and in which there are neither winners nor losers. As such it may recommend itself to academics seeking relief from the winter climate.

There is only one rule: Change a single letter in the title of a play/book/song/etc. and supply a one line synopsis of the subject.

I learned of the game from reading Jessica Mitford who learned of it from the monthly publication of the University of California alumni association.

Among the titles suggested In Ms. Mitford's article:

- @ Little Red Hiding Hood (Marxist midget shelters mafiosi.)
- @ The Winner of Our Discontent (I'm more dysfunctional than you.)
- @ Dunces with Wolves (Western epic starring the Three Stooges.)
- @ Sleeping with the Enema (A tragedy in one act.)

To which one might add:

- @ Call of the Mild (The Wimps' Manifesto.)
- @ The Naked and the Dean (Campus strippers face discipline.)
- @ The Ramen (Poe orders Chinese takeaway.)
- @ Lode in a Cold Climate (A discovery in Last Chance Gulch.)
- @ Judy, the Obscure (Suppose Elizabeth Taylor was cast as Dorothy in The Wizard of Oz.)

It is a great time-waster.

Library Archives