

NINTH JUDICIAL COMMITTEE

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October 6, 1992

John D. Feerick, Co-Chair Coalition for Effective Government c/o Association of the Bar of the City of New York 42 West 44th Street New York, New York 10036-6690

Dear Chairman Feerick:

We noted with interest your participation at the recent program held in White Plains, "Paralysis of Politics: Reinvigorating Democracy", reported by Gannett newspapers.

Due to the fact that we were unaware of the program in advance, we did not send a representative from the Ninth Judicial Committee. As the enclosed articles indicate, the consensus from the speakers was that citizens must seize the initiative and force government to be responsive.

Since we assume that you were one of the articulators of this view, we suggest that it would be useful if, in the future, the Coalition would bring events of this type to the attention of member-groups. In such fashion, groups such as the Ninth Judicial Committee could provide the public with positive rolemodels for meaningful citizen involvement.

We understand from Jim Whelan that a Steering Committee meeting of the Coalition has been scheduled for October 16th at 8:30 a.m. at the City Bar. With your permission, we would be most interested in attending--and in contributing our ideas as to how the Coalition might improve its effectiveness.

On another subject, we are most distressed that we have not heard from you--in your capacity as President of the City Bar--as to the evidentiary issues presented by the critique we submitted to the Senate Judiciary Committee last May.

Although almost five months have elapsed since our critique was forwarded to you, there has been no public announcement by the City Bar retracting its approval of Mr. O'Rourke's judicial qualifications.

Under your leadership, we expect the City Bar will not only recognize its responsibility to the public in this matter--but will take special pride in the extraordinary accomplishment that our pro bono citizens' group has rendered by its critique.

Yours for a quality judiciary,

Elena Rex Bassory

ELENA RUTH SASSOWER Coordinator, Ninth Judicial Committee

Enclosures:

"Forum Panel Sees An Electorate Angered By Lack of Choice, Trust", Gannett, 9/21/92

"Exercise Your Right to Exorcise Paralysis", Gannett, 9/27/92

cc: Jim Whelan, Coalition



Staff photo/Wilbur Funcho

Skip Mendler of Armonk and Joe Losly of Hastings wait to address the forum as Irwin Brussel-Smith makes a point.

Forum panel sees an electorate angered by lack of choice, trust

By John Reinan

Staff Writer

It was a scene that brought back fading memories of the turbulent '60s.

One after another, the speakers rose and denounced American politics as dirty, dishonest and devoted to serving the greedy rich. The crowd of about 200 repeatedly broke into applause as the assembled orators blistered the hides of politicians from Albany to Washington.

But this wasn't a bunch of hippies shouting through bullhorns in a park. The speakers at Community Unitari-

➤ Excerpts from forum, A12

an Church at White Plains yesterday ranked among the nation's most distinguished political journalists and commentators.

In their pessimistic, at times angry, assessment of the American body politic, however, they demonstrated why this has been the most chaotic election year since the Vietnam War dominated all other issues in 1968.

The occasion was a public forum, "The Paralysis of American Politics: Reinvigorating Democracy." Spon-

Please see FORUM, back page

From page one

many Americans shy away from White Plains Religious Leaders participating in their democracy. sought to shed light on why so Association and Garmett Subur-League of Women Voters, the sored by the Westchester County ban Newspapers,

It didn't take long to find out

chairman of a polling and reand fundamentally wrong going on in America," said Gordon S. inate political choice." spired among themselves to elimtained that the Republican and search firm in Rochester, main-Democratic parties "have con-Black, the first speaker. Black, "There's something deeply

"Without choice, you do not have democracy," Black said. of reform. taken steps to form the Indethat he and others already had third political party. Black said calling for the formation of a pendence Party, a centrist party

Prize-winning political corre-spondent for The Washington nated by insiders. they have come to see is domitrated by a political system that Post, said Americans were frus-David S. Broder, a Pulitzer

"We have a system of 536



K. Beaupre **SAMLELICE**

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Forum excerpts

Some excepts from yesterday's forum on roughly of American politics: 7

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Conton S. Slack, Chairman and Chief executive officer of the Gordon S. Black Corp., a national public-

politics are failing company. "What we have in American A politics are two political parties to whom the partial of office is more important than all the basic values of decercy and good maintens, of the basic commitments to positics of values... We also know that sensitivities is wrong were were use, or a success, will permit an entire operation of our children to live in conclines and operating and souther and observation and southers and observers and southers and observers and southers and observed and southers are southers and a scale that would have embarrassed a Charles Dictions."

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American politics except that public support for the political system was collection."

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think there's reason to say that we are deira, visitiv, a befler tob."

John D. Ferrick, dean of the Portham University of School of Late. "We have to find wors to third others different orders from the part of that have common innerest because write nell owns to be able to change the system this section or any other election unless those patients the parentment understand from those not involved in the potential nelse that involved in the operation nelse that it is innertant that we construct a fair system."

Harred Bruce Pierce, associate professor of crininal religions and police scheme at Jahn Jay Cullege of a Chinad Jastice of the City University of they York:

a "We are a possite with have complicitly believed we would be obtained to dream the dream and make the professor come may, And you've heared every session there may boday that if you up force and talk to you up challen and your grandfallers, you are noticing that I approach with much pain and much dispreciatment."

referring to the president and Congress. "Each regards himself as a political party of one." political parties," Broder said,

tained, Congress and the Bush system's failure, Broder said, is ment that sought to slow the to pass the 1990 budget agreewhere over \$4 trillion. In order deficit's growth, Broder mainthe budget deficit, now some-The clearest measure of the

that the agreement is not worth many political entrepreneurs administration "had to pay off so the paper it's printed on."

ence at Boston University. vin, a professor of political sciour culture, said Murray B. Leare linked to deeper problems in Our problems with politics

negativity and brutality of Amerpaigning is a reflection of the "Negative and brutal cam-

ican culture," Levin said. "What kind of politics do we expect when we have this kind of cul-ture?

other - that we can trust each sense that we can deal with each rights, feminism — sprang from other." Citizens must take charge movements — abolitionism, many of America's historic social of change, Levin said, noting that "We have to bring back a civil

than government. Justice in Manhattan. John Jay professor of criminal justice at Yorktown resident and associate E Echoing Levin's call to action Harold Bruce Pierce, a College of Crimina

dreams, Pierce the "painful psychological nomenon" of scaling back their Americans are 200 undergoing But P

the actions of individuals rather added he had seen "the differ ence that the independent spirit can make."

Others participating in the forum were Louis D. Boccardi of New Rochelle, president of The Associated Press; John D. Feerick of Mount Kisco, dean of the Fordham University School of Law in the Bronx; and Lawrence Gannett Suburban Newspapers. K. Beaupre of South Salem, vice president and executive editor of

Exercise your right to exorcise paralysis

Last Sunday's public forum on the "Paralysis of Politics" was not an entirely dismal assessment of the low state of our political system.

The forum, co-sponsored by the Westchester County League of Women Voters, the White Plains Religious Leaders Association and Gannett Suburban Newspapers, lived up to its subtitle, "Reinvigorating Democracy" — at least by implication.

True, the speakers and most of the panelists painted a gloomy picture, but each also held out hope of improvement if only citizens will muster the spirit and energy to participate in the process.

▶ Political writer David Broder of The Washington Post acknowledged an enormous distrust of politics and government among the many voters he speaks with routinely. He attributed this to the rise of political entrepreneurs whose primary motivation is re-election rather than any shared political agenda that can be translated into policy. The



federal government today is made up of "536 political" parties," he declared. "Everyone from the president to the most junior representative sees himself as a government of one."

But he observed that Americans are not apathetic. They are frustrated. In that assertion, there is cause for optimism. One can deal with frustration through action.

▶ Pollster Gordon S. Black contended that the two major parties "have conspired to destroy political choice" by twisting the system in whatever ways will guarantee re-election — gerrymandering, political action committee laws, franking privileges. "We tolerate it. We allow it to happen."

But Black announced that he is forming a third-party movement, with the goal of injecting real choice into elections. Black's solution, whether realistic or not, optimistically assumes that citizens, in fact, will respond to a call to action.

▶ Murray Levin, a political science professor at Boston and Harvard universities, and author of books on voter alienation, was the most downbeat of all in analyzing the problem as flowing from a culture that has enshrined capitalism and democracy as virtual reli-



LAWRENCE K. BEAUPRE

LETTER TO THE READER

gions, with reform tantamount to heresy. But even he allowed that the culture
could be changed by instilling the values
of tolerance, courtesy, mutual trust and
aid in our children. It was a little vague,
I thought, but at least even he seemed
to be holding out hope that citizens who
care and do something about it can
change the system.

Members of the reaction panel also voiced hope:

▶ Louis D. Boccardi of New Rochelle, president and CEO of The Associated Press, observed that news coverage of the election this year was more thorough, more vigilant and more issues-oriented than in some past years. That means citizens are more likely to be armed with accurate information upon which to assess candidates and act.

▶ John D. Feerick of Mount Kisco, dean of the Fordham University School of Law and chairman of the former New York State Commission on Government Integrity, pushed a legislative program of open government, ethics reform and public financing of campaigns. His solution: an outside, multipartisan commission with a sweeping mandate for change.

▶ Harold Bruce Pierce of Yorktown, associate professor of criminal justice and political science at John Jay College, made the point most directly in calling on citizens to get involved, to volunteer, to monitor the process and to assume their responsibilities as the instruments of change.

And my own feeling? I'm an optimist by nature, and no less so when it comes to politics.

I believe citizens can make a difference, but it is up to us to do so. We can't sit on the sidelines and carp about what's wrong with a system in which so many refuse to participate. We are the system.

Less than 50 percent of eligible adults bothered to vote in the last presidential election. In forfeiting their citizenship, they surrendered whatever right they have to complain about the decisions made by others who do fulfill their democratic responsibilities.

At the public forum last Sunday, a member of the audience asked David Broder what people can do about such a dismal political system.

We are not powerless, Broder responded. "What you represent today in concern and commitment is power, and politicians will respond to that."

The power Broder was talking about was the ultimate source of power in a democracy: the ballot box.

We are trying to do our part in our news coverage, in editorials and in cosponsoring Sunday's forum.

We published an extensive series of articles last month assessing the performances of state legislators, most of whom are up for re-election (reprints available upon request). Our issues-oriented coverage of political campaigns is under way and will culminate with our annual Voters Guide on Sunday, Nov. 1. For the past several weeks, we have given readers essential information about how and where to register and vote. We have published editorials about the need to vote.

Beginning today, we will publish a daily reminder on the Editorial Page about the looming deadline for voter registration. This will be followed by a daily reminder to vote Nov. 3.

But no matter what all the experts and reformists say at political forums, and no matter how many words we devote to covering politics and government, and no matter how much you are nagged about registering and voting, it will all be meaningless if you sit out this election.

For then you will get what the pundits say is your due: the government you deserve.

And if you don't exercise your right to vote, then you will have little right to complain.

Lawrence K. Beaupre is vice president and executive editor.