

POLITICS & GOVERNMENT*Carter and the South in 1980*

"Jimmy Carter's Problem" by Richard M. Scammon and Ben J. Wattenberg, in *Public Opinion* (Mar.-Apr. 1978), 1150 17th St. N.W., Washington, D.C. 20036.

In 1960, many Americans voted for John F. Kennedy to disprove the notion that a Catholic couldn't be elected President. A similar feeling about Southerners may have helped Jimmy Carter in the 1976 elections. But according to political analysts Scammon and Wattenberg, such issues as region and religion, once resolved in an election, tend to disappear. As a result, Carter could run into trouble in 1980.

The "external" issue of Carter's Southern background provided the edge he needed to defeat President Ford. In the 1976 race, Carter reaped a full 54 percent of the vote in the largely conservative South, reversing the steady decline in the Democratic share of the Southern vote since 1960. But this external issue, the authors contend, will play a less decisive role in 1980 than it did in 1976. Carter's Southern support in the next election will turn on ideology, not his place of birth.

Carter needs the South to win, believe Scammon and Wattenberg. But if his current stance continues—"pro-Panama 'giveaway,' pro-quotas, pro-welfare, anti-growth, pro-Cuba"—he will find himself most vulnerable in the region where he can least afford to be.

Streamlining the Great Writ

"Legislative Reform of Federal Habeas Corpus" by Ford Robert Cole, in *Journal of Legislation* (vol. 4, 1977), Notre Dame Law School, Notre Dame, Ind. 46556.

Three landmark Supreme Court decisions since 1953 have expanded the scope of the "great writ" of habeas corpus—the constitutionally mandated procedure that allows a federal judge to review the cases of prisoners, including state prisoners, if presented with evidence that the appellant was imprisoned or otherwise held in custody unlawfully.

Those decisions, writes *Journal* editor Cole, have made federal habeas corpus "an impediment rather than an instrument of justice" by clogging court dockets and undermining the authority of the state court systems.

The key Supreme Court decision, *Fay v. Noia* (1963), in effect ended the requirement that a prisoner's appeals through state courts be exhausted before he petitions for federal habeas corpus. Together with *Brown v. Allen* (1953) and *Townsend v. Sain* (1963), this decision "opened the floodgates" on applications for habeas corpus reviews. In 1940, 89 petitions were filed; by 1969, the number had reached 12,000. There are virtually no barriers to a convicted state prisoner who seeks federal review of his conviction; Clovis Green, an inmate in Missouri, has filed 219 appeals, many of them based on habeas corpus.

In more recent years, the Court itself has begun to limit the scope of habeas corpus. But Cole argues that Congress should enact statutes to

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stiffen the "exhaustion" requirement in the state courts. Thus, he observes, when a case reached federal court for review, it would already have been refined and analyzed—facilitating the work of the federal judge.

What Money Can't Buy

"The Model Cities Program: A Sobering Scorecard" by Charles Longstreet Weltner, in *Policy Review* (Fall 1977), 513 C St. N.E., Washington, D.C. 20002.

President Carter signed a \$14.7 billion housing measure last October, calling it a "giant step forward" for the nation's cities. But the evidence is growing, says Weltner, a federal judge and former congressman, that "throwing federal dollars" at urban problems may be next to useless. As a case in point, he cites his hometown of Atlanta, Ga. (pop. 1.7 million).

Weltner was an early proponent of Lyndon Johnson's Model Cities effort and the only Georgian in Congress to vote for it in 1966. Atlanta was one of the 10 original target communities. With its progressive tradition and active black leadership, the city seemed an ideal municipality to direct a mix of federal aid and other help focused on a single blighted neighborhood. Hopes ran high as federal officials tried to translate the "precepts of liberalism" into reality.

In six years, Atlanta received more than \$173 million in aid from a dozen local, state, and federal agencies. At program's end, the inner city was left with some capital improvements—but one-third fewer people. The percentage of substandard housing remained virtually the same. Unemployment ran at 20 percent, up from 8.6 percent when the program began. Education and health services showed moderate improvement, but crime increased dramatically, from 34.3 "serious crimes" (homicide, rape, robbery, and assault) per 1,000 people in 1968 to 94.6 in 1974. What was the net benefit of the Model Cities effort in Atlanta? "Very little," Weltner concludes.

Banki Dannyykh

"Banki dannyykh: nastuplenie na grazhdanskie prava v SShA" [Data banks: The attack on civil liberties in the USA] by M. Iu. Dykhovichnaia and G. B. Kochetkov, in *Sovetskoe Gosudarstvo i Pravo* (no. 6, 1977), 121019, Moscow, G-19, ul. Frunze, d.10.

The growth and refinement of computerized "data banks" (*banki dannyykh*) pose a severe threat to American civil liberties, write two Russian specialists on the United States. The federal government alone, they say, operates 850 data banks on American citizens and organizations, containing 1.25 billion pieces of information. (The Senate Judiciary Committee estimates that *something* about every U.S. citizen is on file somewhere.) In addition, credit bureaus keep dossiers on 105 million