

Times-Union 9/17/81

# South Africa seeking slot in Olympics

Geoffrey Press-Agentur

PRETORIA, South Africa — South Africa is again seeking readmission to the Olympic Games, the president of the South African Olympic Committee said Wednesday.

South African athletes have not participated in the Olympics since the 1960 Summer Games at Rome.

Rudolf Oppermann said he hoped that the International Olympic Committee would decide at its next meeting in West Germany to send an investigating committee to South Africa.

"We have fulfilled all the conditions and prerequisites ever set us by the IOC and much more," Oppermann said. He said that he hoped South African athletes would be given the recognition due them for their contributions toward removing racial barriers in their country.

In August, the Pretoria government repealed the final regulations on racial discrimination and separation affecting sports, he noted.

All sports are now autonomous and clubs and associations can set their own rules on membership without referring to the old apartheid rules, he said.

"Today it is no longer a question of the color of skin, but only of performance," said Oppermann.

Therefore, he said, the IOC should reconsider South Africa's request for readmission.

"Don't ignore us any longer," he pleaded. Oppermann said that he was speaking not only for the whites but also for 20 million blacks.

However, appearances by a South African rugby team on tour abroad have drawn widespread opposition. Last week in Auckland, New Zealand, 2,000 protesters turned out to demonstrate at a South African rugby team game, resulting in a clash in which 43 people were injured and 148 protesters were arrested. It was the worst violence related to a sporting event in New Zealand's history.

In the United States, Los Angeles

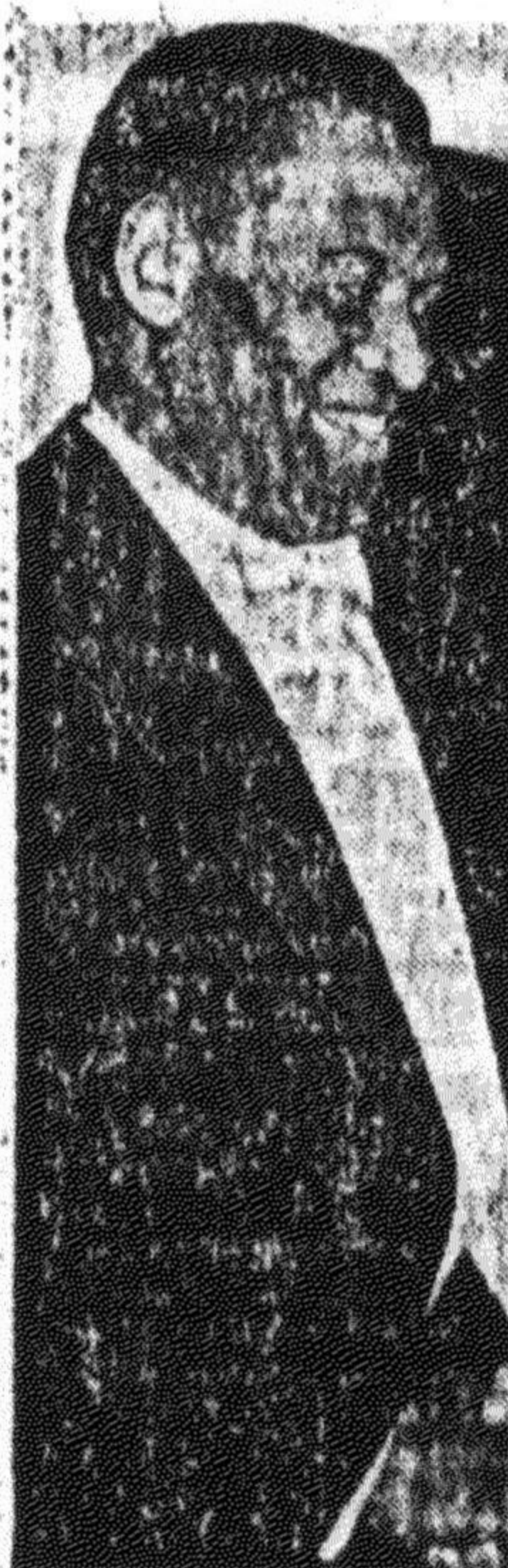
Mayor Tom Bradley, citing concerns over a possible boycott by African nations of the 1984 Olympic Games in Los Angeles, urged the State Department to withdraw visas issued to the South African team, the Springboks. He also wrote Chicago Mayor Jane M. Byrne and Albany Mayor Erastus Corning II asking them to cancel the Springboks' matches in their cities.

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## Corning opposed Robeson appearance in 1947



PAUL ROBESON  
in 1947

By David Brown  
Staff Writer

In 1947 Albany Mayor Erastus Corning II had to make a decision about use of a public facility for a "controversial affair."

In 1947, artist, scholar, civil rights champion and Communist sympathizer Paul Robeson was scheduled to sing at Philip Livingston Junior High School in Albany. The planned concert caused an uproar among Albany citizens because of Robeson's Communist background.

Corning decided to oppose Robeson's appearance, defending his stand by arguing that school buildings should not be used for "controversial affairs," according to a May 7, 1947, newspaper article.

Corning urged the Board of Education, which at that time he appointed, to cancel the concert, citing Robeson's Communist background, a *Times Union* story said that day.

The concert was cancelled, though State Supreme Court Justice Isadore Bookstein later ordered that Robeson be allowed to sing, (he was, however, prohibited from making a speech.)

Kevin Roberts, a radio announcer who came upon the irony while researching a program on Robeson for WRPI-FM, said of the two cases, "It is (a) strange coincidence, given the events of recent weeks, that Paul Robeson was one of the earliest and most outspoken critics of South African apartheid."

Thursday, Corning said he didn't think "it is a clear comparison" to contrast the two incidents, but added:

"That was 34 years ago and a person has a perfect

right to his philosophy. At that time I was just back from war for less than two years and you would have looked at the whole thing in the context of that time.

Corning the two situations differ because "presumably (Robeson's concert) was a concert and speech in the United States, this other (the rugby match) was not."

Arthur Fey, who still practices law in Albany, at the time called Corning's action "a slur on the Negro people as a whole."

Harvey said Thursday that he does not believe the two cases are similar.


"Here you're dealing with a foreign power," Harvey said, referring to the Springbok team. "He (Robeson) was an individual who had a right to be here, he was an American citizen. It's different because any American has a right to voice his opinion whether good or bad."

Roberts said he is researching Robeson's life for a special three-hour radio broadcast scheduled from 8 to 11 p.m. Sunday on WRPI FM

Schenectady Gazette

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**USA**



**SPRINGBOKS TOUR**  
**BLEEKER STADIUM**  
**SEPTEMBER 22**

Springboks vs. Colonials  
7:00 p.m.  
Presidents XV vs. Upstate XV  
5:00 p.m.

Tickets \$5.00 through Local Rugby Club or call 370-2744

# Chronology of a controversy that began Feb. 17

It began with a normal enough request: "Can we use Blecker Stadium for a rugby game against a South African team?"

It has now grown into a controversy that has involved not only the city of Albany, but the mayor of Los Angeles, the Russians and the U.S. Olympic Committee. And, on Thursday, New York Gov. Hugh Carey became the latest to enter the fray. Carey's decision to call off the game with the Springboks is the latest in a series of events that began.

- Feb. 17: At a general meeting of the Albany Bureau of Parks and Recreation, a representative of the Albany Knickerbockers asks about the possibility of using Blecker Stadium for a match against a team from South Africa. Sel Garufi, director of the bureau, says he will see if the match can be included among the year's events.
- July 13: The U.S. State Department grants a visa to the South African Springboks rugby team to enter the country for a tour of three cities in September.
- July 14: A group of New York City citizens, led by Richard Lauchick, mobilize to form Stop the Apartheid Rugby Tour (SART), an organization that grows in size almost immediately.
- July 23: The Capital District Coalition Against Apartheid holds its first public meeting to rally opposition to the rugby match.
- July 28: Corning says the South Africans have permission to play in the stadium, but he is "willing to reconsider" based on objections.
- July 31: The U.S. Olympic Committee moves to prevent American rugby groups such as the Eastern Rugby Union from acting as hosts to the South African team, saying the action could undermine the 1984 Olympic Games in Los Angeles.
- Aug. 2: New Zealand Prime Minister Robert Muldoon threatens to reach agreement on the seven-week international tour slated to begin in that country.
- Aug. 3: Alderman Nebraska Brace of the Albany Common Council introduces several local black organizations that had formed a coalition to oppose the rugby match and suggests the council take a stand.
- Aug. 4: The Capital Area Council of Churches' International Affairs Committee adopts a resolution opposing the game and sends it to Mayor Corning, asking that permission for use of Blecker Stadium be withdrawn.
- Aug. 5: Opposition grows as other community groups, including the Capital District Network of Grey Panthers and the Schenectady Inter-City Ministry, write Mayor Corning asking him to reconsider giving the team permission to use Blecker Stadium.
- Aug. 10: Michael J. Dollard, chairman of the Capital District segment of Stop the Apartheid Rugby Tour, foresees a national anti-apartheid demonstration in Albany since the New York City match was cancelled.
- Aug. 11: Black and civil rights leaders from numerous local groups, including the Urban League, the NAACP and Capital Area Council of Churches, announce a rally in front of the Capitol to protest the match.
- Aug. 12: Thomas Sellridge, president of the Eastern Rugby Union, says he will accept the governor's decision. Sellridge says he still wants the game played at Blecker Stadium and is considering taking legal action against the state.

# Football Union, criticizes the groups protesting the scheduled games, saying "they should actively oppose all of the United States ties with South Africa. If they have a difficulty with our games, they should be talking with our State Department."

- Aug. 15: Sellridge says the match will be held as planned, whether it be in city-owned Blecker Stadium surrounded by police and protesters, or on a private field. "We have no intention of canceling the game."
- Aug. 17: Fifty demonstrators gather at City Hall to witness the proceedings of the Albany Common Council, which sends to permit allowing Blecker to be used for the match.
- Aug. 19: Dollard confirms plans to stage a national demonstration in Albany since it is the only city remaining on the three-stop tour still slated to play in a public stadium.
- Aug. 20: After returning from a week's vacation in Maine, Mayor Corning says he wants time to evaluate the issue further. Although he says all factors will be considered, cost of providing police protection for the match is not one of them.
- Aug. 21: Opposition continues to mushroom as leaders of six of the area's Christian denominations and the Capital District Board of Rabbis call on Mayor Corning to withdraw the city permit for Blecker Stadium, cancellation of the tour by the Eastern Rugby Union, full disclosure by the union of the sources of its financial underwriting, and a general public boycott of the event.
- Aug. 22: Beginning to feel the pressure, Corning promises a final decision in two days, saying, "It's a very difficult question, one that I have spent a lot of time on. Even my own bishop has come out against it."
- Aug. 24: Despite the growing opposition, Corning reaffirms his position on the match and will not withdraw permission for the team to use Blecker Stadium. "Our constitution guarantees an individual the right to publicly espouse an unpopular cause," he says.
- Aug. 25: Albany Police Chief Thomas Burke says his department will be able to control busloads of demonstrators, now estimated by Lauchick, co-founder of the New York City-based SART, at 6,000.
- Aug. 26: Alderman Brace, whose Albany Common Council resolution opposing the match was terminated by Corning's decision, says the controversy has brought the city's black and white communities closer together. "Overall, I think a lot of good came out of it," Brace says.
- Aug. 27: The steering committee of SART votes to move its massive demonstration from New York City to Albany, despite an announcement earlier in the day the Springboks' cancelled New York City game has been moved to a municipally owned stadium in Rochester.
- Aug. 28: Local groups join with SART in the first full-fledged planning session for a national demonstration in Albany. Upwards of 10,000 demonstrators are predicted for a rally at Albany's Swinburne Park across the street from Blecker.
- Aug. 29: Meanwhile, in New Zealand the Springboks began their tour as thousands of protesters try to rip through barbed wire and barricades around the field.
- Aug. 30: Rochester Police Chief Dolmar Leach says he opposes allowing the rugby team to play against the Rochester Flash in a City stadium Sept. 26 because it will be a threat to public safety and very costly in terms of supplying security.
- Sept. 4: Lauchick says a professor at State University at Albany will organize students at all SUNY campuses, while others will contact students at college campuses in Boston, Amherst, New Haven, Philadelphia and Washington for the Sept. 22 rally at Swinburne Park.
- Sept. 8: The Law Committee of the Albany Common Council votes

# to replace the resolution offered by Brace with one of its own. Instead of condemning the use of Blecker for the match, the committee recommends council adoption of a resolution saying it would be "wrong" to cancel the game.

- Sept. 9: Albany Police Capt. John Dale says the city's entire 365-member police force — excluding officers on vacation or sick leave — will be on duty the day of the match. Dale says the department hasn't determined what the overtime cost of the beefed-up force will be.
- Sept. 9: Brooklyn's Democratic Congresswoman Shirley Chisholm agrees to attend the rally which will begin in front of the State Capital at 5 p.m. Sept. 27 and then march to Swinburne Park.
- Sept. 10: The Albany Common Council votes 11-0 to support the mayor's decision to allow the match at a meeting temporarily suspended when protesters shout down aldermen.
- Sept. 11: The Soviet Union threatens to ask the International Olympic Committee to move the 1984 Summer Olympics out of the United States if the rugby team is permitted to go ahead with its U.S. tour. That brings a letter by Los Angeles Mayor Tom Bradley to U.S. Secretary of State Alexander M. Haig Jr. asking for withdrawals of visas to State African Council.
- Sept. 11: The Capital Area Council of Churches asks its more than 100 member churches to urge a protest of the match. The council's board of directors votes unanimously to send contingents to the Sept. 27 rally.
- Sept. 11: Back in New Zealand, the Springboks continue to meet resistance as thousands of demonstrators ransack through Auckland protesting their match.
- Sept. 12: Area labor unions decide to urge rank-and-file members to participate in the rally which is expected now to attract between 10,000 and 20,000 people.
- Sept. 13: Opponents of the match stage a brief demonstration outside the Glenville home of Sellridge. About 25 protesters show up in front of the suburban home before police disperse the group.
- Sept. 13: Mayor Bradley sends a telegram urging Mayor Corning to cancel the match, warning that the appearance of the Springboks could lead to a boycott of the 1984 Olympics in Los Angeles.
- Sept. 14: Corning replies by saying he will reconsider his decision if Bradley "can prove to me that the Los Angeles Olympics are more important than the U.S. Constitution."
- Sept. 14: The 36-member Springbok team arrives at Chicago's O'Hare Airport. No demonstrators are on hand.
- Sept. 15: Public safety officials for the city, county and state make arrangements to meet with Mayor Corning about security. They say it will be Corning's responsibility as mayor to ask Gov. Hugh Carey for state police assistance if he feels it is necessary.
- Sept. 16: Governor Carey announces he doesn't want the Springboks in Albany and that he may, if it is found local police cannot adequately control the planned protest, ask Corning to cancel the game.
- Sept. 16: After meeting with public safety officials to discuss security of the upcoming demonstration, Corning tells reporters he can offer no assurances violence will not occur. The mayor also says the decision to permit the Springboks to use Blecker Stadium was "the hardest decision I've faced in the 40 years I've been mayor."
- Sept. 16: In Chicago, protests continue and the Springboks receive a bomb threat that proves unfounded.
- Sept. 17: Governor Carey says the match will impose imminent danger of riot and will not be held. Corning says he disagrees with but will accept the governor's decision. Sellridge says he still wants the game played at Blecker Stadium and is considering taking legal action against the state.

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# Corning irritated <sup>74</sup> by Carey

By R.L. McManus Jr.  
and Cliff Lee

Staff Writers

Gov. Hugh L. Carey publicly embarrassed "the best mayor in the state" Thursday.

Erastus Corning II, mayor of Albany since 1941 whom the governor referred to only last month as "my mayor" and "the best mayor in the state," learned Thursday that Carey had, in effect, canceled the Springbok rugby match scheduled next week at Bleecker Stadium.

Carey did it without consulting Corning, who has consistently defended the players' "constitutional" right to use the stadium. Corning, who called his position a difficult one, had held firm — even when leaders of virtually every Capitaland religion including, Corning said "my own bishop," and dozens of, in his words, "people I respect" said he was wrong.

Tight-lipped and visibly irritated as he conducted a noon press conference in his city hall office, Corning's responses to questions were short and sharp.

"My feelings are my own personal business," he said, "and have nothing to do with the situation."

But Corning — as such local politicians as state Sen. Howard Nolan and former Albany County Sheriff John McNulty well know — is the preeminent power in county politics, a force that the politically troubled Carey can ill afford to trifle with as he enters the 1982 election year.

"The governor needs the mayor more than the mayor needs the governor," said an aide to Carey Thursday afternoon. "He is extremely important in both the primary and general election."

That Corning is in a position to deliver votes is a matter of history.

Last fall, for instance, he carried

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## Corning embarrassed by Carey

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Albany County for President Carter by 22,000 votes despite the fact that Ronald Reagan easily won the state. A Corning-backed slate of convention delegates was the only regular slate to survive the McGovern primary landslide of 1972.

Eight years ago, Carey benefited from early and enthusiastic Albany County support when he defeated party-backed Howard Samuels in a primary, and in 1978 Corning backed Carey even though then-state Sen. Jeremiah Bloom, a long-time Corning friend, was in the race.

Thursday, Corning said Carey's action "will not affect our relationship."

That relationship was characterized by individuals close to Corning as "friendly," and "very good." Assemblyman Richard J. Conners of Albany said that while the mayor "has a long memory," he "doesn't carry a grudge."

That sentiment was echoed by Albany County Legislature Majority Leader Richard J. Meyers, who said "I've never seen the mayor stay mad at anyone."

"They have a very good relationship," said Meyers. "The mayor is the mayor and the governor is the gover-

nor. They have worked hand in hand together for years."

One area in which they have worked closely is patronage, the glue which holds any political organization together.

With few exceptions, John J. Burns, Carey's principal patronage officer, said last spring, "We would not appoint someone (to a job) that we knew the mayor didn't want."

State Democratic Chairman Dominic Baranello, who could not be contacted Thursday, at that time termed Corning "the dean of Democratic state politicians," particularly in the area of patronage.

How many jobs Corning has delivered since Carey took office in January 1975 could only be estimated by Burns. "It could be hundreds of jobs in a year," he said. "It could be thousands of jobs during the Carey administration."

Corning's position as Democratic county chairman in the state capital and his ability to deliver votes was cited by both men as the principal source of his influence with Carey.

But Thursday, Corning was clearly irked with the governor.

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# Rugby team may drop U.S. tour

## Supporters plan appeal

- The rugby cure. See Ralph Martin column, Page 4-A
- Chronology of a controversy. Page 4-A
- Carey action may take the heat off Corning. Page 4-a

By SUSAN SCHULMAN

Knickerbocker News Reporter

The South African rugby team and organizers of its controversial U.S. tour are considering canceling the tour in the face of mounting opposition, a Chicago newspaper reported today.

Team officials and the tour sponsors met in Chicago Thursday night, shortly after they received word a Springboks match scheduled for next Tuesday in Albany's Bleecker Stadium was off.

The players, in Chicago for a scheduled Saturday match, have been told to "pack their bags and be ready to leave Chicago at a moment's notice," the Chicago *Sun-Times* reported in today's editions.

The tour has been opposed in every city in which it hoped to play. Last month, New York Mayor Edward Koch heeded police warnings of violence and withdrew permission for the team to use Downing Stadium.

Although the game at Bleecker Stadium is off, the controversy over the proposed Albany match brews on.

Whether the decision was made by Gov. Hugh Carey or Albany Mayor Erastus Corning II, the South African Springboks have been banned from playing Tuesday at Bleecker Stadium — and the decision has sparked immediate and sometimes sharp responses



Thomas Selfridge  
...court action expected

from those for and against the game.

Supporters of the Springboks' right to play in Albany were expected to appear in federal court today to ask that the game be permitted at Bleecker Stadium as scheduled.

The action will be filed by the Eastern Rugby Union (ERU), with the New York Civil Liberties Union filing a friend of the court brief, Sarah Birn, the NYCLU's associate legislative director, said Thursday night. Ms. Birn said the legal action will name Carey and Corning as defendants.

"You cannot make use of city facilities based on a political litmus test, and the rugby game has clearly become a controversial political issue," she said.

The ERU's leader said the game still would be played Tuesday at an alternate site if necessary.

A group of rugby players, most with

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## Springboks may halt tour of the U.S. ...

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The Schenectady Reds, demonstrated in front of the Governor's Mansion Thursday night, charging Carey with violating their rights by bending to pressure from outside groups.

Opponents of the game, who say the Springboks are a symbol of South Africa's apartheid policy of racial segregation, said Thursday night that they would continue their efforts until the entire Springboks tour is canceled.

A national demonstration, which organizers said would bring up to 15,000 protesters to Albany, has been canceled.

But the protest organizers from the New York City-based Stop the Apartheid Rugby Tour coalition say the protest is only on standby. SART will find out where the Springboks game will be held and will mobilize the protest for that site.

The Capital District Committee Against Apartheid, a local group involved in the national demonstration, will join the major demonstration wherever it is held. For those who will be unable to attend the national rally, the Capital District committee announced Thursday night that it would hold a "victory and solidarity" rally at 5 p.m. Tuesday on the steps of the state Capitol.

Carey told Corning Thursday morning that the demonstration planned for Swinburne Park at the same time the Springboks played at adjacent Blecker Stadium could turn into a "riot."

Local police would not be adequate to insure public safety, and calling in state police and the National Guard might aggravate a volatile situation. The game, Carey said, should be canceled.

Corning said he didn't agree with Carey's decision, that he still believed the Springboks have a constitutional right to play in Albany, but the mayor said he accepted the governor's statement as a prohibition against having the game in Albany.

Corning notified ERU President Thomas Selfridge that the Springboks couldn't play at Blecker Stadium, and Carey's press office notified the media the game was off.

Reaction to the moves by Carey and Corning were immediate and sometimes sharp.

Selfridge said he was "shocked" by Carey's position, and charged the governor's action was politically motivated.

"In the polls, Carey is not running too well," Selfridge said. "Maybe he felt here is a good issue to hang onto and help somebody — maybe himself."

Selfridge said if Carey was concerned about violence erupting Tuesday, he should have taken action against the demonstrators, not the rugby team.

Carey's legal advisers responded the rugby game was the seed of the potentially violent demonstration.

Selfridge repeated he doesn't believe politics should be mixed with sports. The Springboks were invited to Albany, he said, in an attempt to enhance the level of rugby in the United States.

The South Africans have a first-rate team, he said, and the Eastern Rugby Union's all-star team would benefit from the experience of the match.

The ERU president said alternate sites for the Albany game have already been contracted. While he wouldn't reveal the sites, Selfridge said Tuesday's game would be played. He said he still wanted to have the match played at Blecker Stadium, but the ERU will not seek to hold the Albany game at another municipal site.

Selfridge also said he would like to hold the game in New York state because of its central location in respect to the rugby community.

Selfridge later met with Corning to get a clarification of whether Carey had banned the Springboks from New York state or just the city.

Carey's press aides said the prohibition affects municipal and private sites in Albany.

Leaders of coalitions organizing a national demonstration against the tour called cancellation of the Albany game a victory for "people throughout the world who detest apartheid."

Both SART and the Capital District Coalition Against Apartheid, however, issued statements disassociating them-

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Knickerbocker News/Fred McKinney

**DISCUSSING RUGBY?** — Albany Mayor Erastus Corning II, right, appears to be discussing the rugby situation with Assemblyman Richard Conners, D-Albany. The two saw each other Thursday morning, soon after Corning learned that next Tuesday's game was off. The two were at the dedication of a recreation trail at the Erastus Corning II Riverfront Park.

selves from the violence Carey referred to in his statement saying the game should be canceled.

"It is the ruthless violence of the apartheid system which is maintained and perpetuated by violence that we are protesting," said William Robinson, a SART spokesman who came to Albany to help organize the planned national protest.

Carey received an oral report from state police Wednesday suggesting the Connecticut branch of the Ku Klux Klan and the Workers Communist Party of New York City — two groups that have clashed in the past — would attend the rally.

A written copy of the report is not being made public because, state officials say, it includes classified security information.

Carey aide Robert Morgado told reporters the state police believed hundreds of additional police would be needed at the demonstration to supplement the Albany police force.

SART leader Richard Lapchick said his organization expects to learn the

new location of any Albany game, as well as any game in Rochester, from persons within rugby organizations who oppose the Springboks tour. He said rugby players from Boston and New York who oppose the tour are expected at the national anti-apartheid rally.

It has not been decided, he said, if the national protest will be held at any site the Albany game is moved to or the site of the Rochester game. Selfridge has not disclosed the location of the Rochester game, canceled earlier this month for security reasons.

The protest organizers were joined by members of Albany's black and religious communities Thursday in hailing cancellation of Tuesday's game.

Clara Satterfield, president of Albany's branch of the National Association for the Advancement of Colored People, described herself as "very happy" the match is not going to be played in Albany. The same words were used by the Rev. Joyce Giles, executive director of the Capital Area Council of Churches, which had taken a strong stand against the match.



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Staff photo by Fred McKinney

**REACTING** — Albany Mayor Erastus Corning II, right, appears deep in conversation Thursday morning with Assemblyman Richard Conners, D-Albany, left, and Albany Common Council president nominee Thomas Whalen. The conversation came shortly after Corning

learned of Gov. Hugh L. Carey's statement that the South African Springboks rugby team should not play in Albany's Bleecker Stadium. The three men were at the dedication of a recreation trail at the Erastus Corning II Riverfront Park in Albany.

# How Carey came to act

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## Swayed by protest buildup



GOV. HUGH L. CAREY

By Fredric U. Dicker  
*Capital Bureau*

The news events of Thursday had their start on the other side of the world, in inconspicuous wire service stories from New Zealand.

The Springboks, a South African rugby team on a world tour, were encountering demonstrations and even riots because of South Africa's racial policies.

Months earlier, Tom Selfridge, a Scotia businessman with a love of rugby, had arranged to bring the Springboks to Albany, to play an all-star team chosen from among the best rugby players in the Northeast. In February, a local rugby official made

initial inquiries about the use of Albany's Bleecker Stadium. The matter was strictly routine. By Thursday, what had started out as a few stories from the other side of the world and a simple request to use a city facility had become a huge controversy. It had pitted the flamboyant governor of New York and the veteran mayor of Albany, "eyeball to eyeball," as one official said. And the mayor appears to have blinked first.

"If I'm here 50 years," Carey had said during the summer, when first asked about Corning's refusal to withdraw the stadium permit that had been issued so routinely last winter, "you

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## Carey decision reached after state help sought

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won't hear me make a public recommendation to the mayor."

Tuesday, the governor was saying something entirely different:

"I don't think the team should be playing anywhere in the United States, and that includes Albany," the governor insisted.

Carey said his view was based on his strong moral objections to the South African system of forced racial separation, known as apartheid.

What happened to change the governor's position between Aug. 21 and this week?

Carey did not stay in Albany Thursday to explain his dramatic actions, which forced cancellation of the rugby match. He helicoptered to New York City.

But interviews with some of his key aides, two of whom said they were surprised by Carey's decision to halt the match, attributed the governor's action to two factors.

The first was his objection to apartheid, which made the Springboks' appearance in Albany a matter of international news.

The governor, told of the growing objections from blacks and organized religious groups which did not want the Springboks to play in New York, came to feel that holding the game in Albany would be politically unwise.

"How would it have looked nationally if a generally liberal Democratic governor allowed this to go on?" one of the aides observed.

However, Carey still felt the question was a local matter, principally the concern of the man he regularly calls

"my mayor," said the aides.

But all that changed Tuesday after Carey learned that Corning wanted the state to help out with State Police or National Guardsmen in order to control the crowds of thousands of demonstrators expected to stream to Albany to oppose, or support, the presence of the South Africans.

"It was at that point that Carey had a piece of the decision-making process and it was from then on that he decided he would act in a way he thought was best," said one of the governor's senior aides, who asked not to be identified.

Carey ordered the State Police to prepare an intelligence report on the possibility of violence, and the report was handed to him Wednesday.

It concluded that serious violence could break out if the rugby match was held because contingents of Ku Klux Klansmen, and members of the Communist Workers Party, were expected to be among the demonstrators.

Klansmen and party members had clashed violently in the past.

Based on the report, Carey decided Wednesday that if the rugby match was to be held he would have to order hundreds of State Police and/or National Guardsmen to the scene.

For now, Carey has emerged the winner in a rare confrontation with Corning, one of the state's most powerful Democratic leaders.

And many of Carey's senior aides believe that Carey will be a winner in the eyes of the public as well.

"We're all elated around here. We feel the governor has done the right thing and he'll be recognized for that," one of the aides observed.



ON THE VELDT — The South Africa Springboks at practice.

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# Governor's action on match may take heat off Corning

By E.J. McMAHON Jr.  
Knickerbocker News Reporter

Mounting protests and reports that violence might greet the South African rugby team if it played in Albany's Bleecker Stadium ultimately put Gov. Hugh L. Carey and Mayor Erastus Corning II on opposite sides of that hot issue.

But while Carey's decision to effectively cancel the match — based on unspecified legal powers — effectively overrode the mayor, it seemed designed not to put Corning on the spot.

Intentionally or not, Carey relieved Corning of a potentially heavy political burden in a mayoral election year.

The governor, probably realizing Corning would not back down, did not "directly" ask him to cancel the match, according to both the mayor and Carey's press aides — although the governor had said only two days earlier he was considering just such a request. Corning said he would have refused to cancel the match.

Instead, Carey released a statement Thursday reviewing the possibility of violence erupting at a planned protest march and concluded: "Accordingly, I have advised Albany Mayor Erastus Corning that . . . I have determined the match should not be played."

That, said Corning, was tantamount to a unilateral decision by the governor to cancel the game.

"It was 100 percent his decision," the mayor said.

"We're dealing with semantics," Carey press aide Ron Tarwater said Thursday when pressed to explain exactly what the governor did. "The bottom line is the game will not be played."

And the end result, politically, is no embarrassing rift between the governor of New York and the mayor of its capital city, who have been conspicuous allies ever since Carey ran in the 1974 gubernatorial primary.

The furor over the match had been mounting steadily for a month when Corning contacted Carey Monday to, in the mayor's words, "alert him to the situation."

Corning told the governor he would need state police and National Guard units to provide adequate security for the expected protest the evening of the match.

A day later, at his first news conference since returning from a delayed honeymoon in Europe, Carey said he was "looking into" whether adequate security could be provided for the match. But he emphasized the decision to cancel was Corning's alone, as "chief magistrate" of Albany.

Carey also said he did not expect the issue to interfere with his political relationship with the mayor.

"No problem there," Corning said Thursday

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**Analysis**

when asked if Carey were still politically close.

Their relationship has seemed to grow closer, if anything, in Carey's second term as governor. As leader of Albany County's Democratic organization, Corning enjoys easy access to state government patronage.

And the state government gave a big boost to the city last month, when Carey and Corning jointly announced the state would rent a sizable amount of space in a \$100-million commercial-office and hotel development centered on Union Station.

Corning and Carey both are expected to play prominent roles in this weekend's Fall Harvest of Music Festival at Empire State Plaza as honorary co-chairmen.

The mayor retained his usual strong support from fellow Albany Democrats throughout the public debate over the rugby match. The city Common Council loyally fell in line last week, adopting a resolution echoing the mayor's position after a council committee had rejected an earlier resolution urging cancellation of the match.

But Corning's opponents in the mayoral race, Charles Touhey and Fred Dusenbury, said Carey's decision did not remove the rugby game as an issue in the election.

"In other words, he (Corning) is off the hook," Dusenbury, the Citizens Party candidate, said when told of the governor's action.

Dusenbury said he and his party would continue to attack on the apartheid issue in general. He claimed the city is guilty of "complicity with the apartheid system" by placing its accounts with Bankers Trust, which Dusenbury identified as a major investor in South Africa.

Touhey, an independent running with Republican and Liberal backing, had a similar reaction.

"He made the wrong decision, events have borne that out, and there is a new question of leadership here," Touhey said.

Corning said he was "not particularly impressed with the reliability of either of their statements."

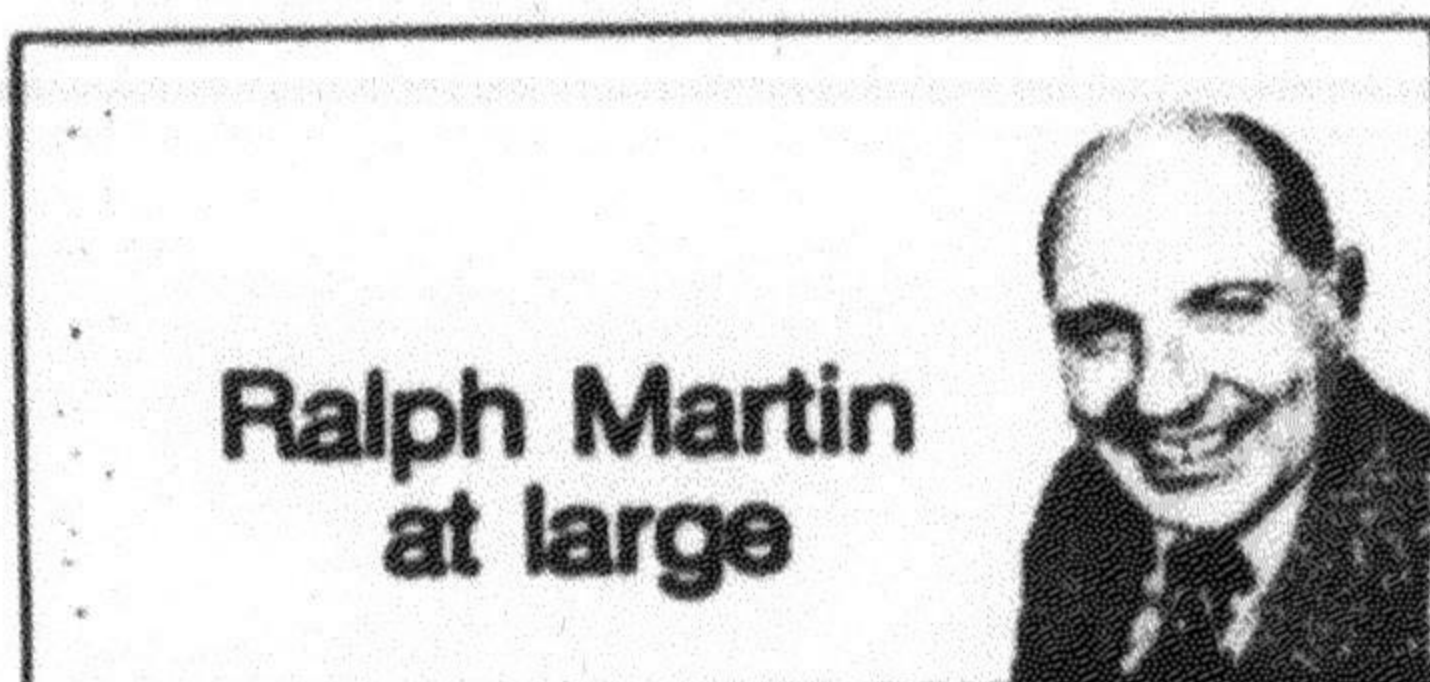
"I thought Charlie was a little bit wild, and the other one (Dusenbury) even more so," Corning said.

Corning said he has not changed his view that cancellation of the rugby match would violate constitutional guarantees of free speech and freedom of association.

"When you feel you are right, you take that course, and that's that," he said.

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## Local



Ralph Martin  
at large

## Thanks, governor, for the rugby cure

Thanks, gov, for stepping in and effectively canceling the rugby match.

I was suffering from a severe case of rugby overdose, an illness that can prove fatal unless large doses of baseball, football and basketball are given. Even soccer helps.

I have been growing weak and sick for the last six weeks, ever since someone sprung the word Springboks at me. Talk of boycotts, demonstrations and violence just made the old bones ache more.

I struggled to regain my health and sanity, but to no avail.

Groups from the right, left and in-between besieged me with statements. The churches, the synagogues, the right-to-lifers, the right-to-diers, the Gray Panthers, the Pink Panther, the Ku Klux Klan, the leagues of lost causes all chimed in.

Everyone had a grievance to air, everyone an ax to grind, even the outside instigators who wouldn't know Albany from Toledo.

There was no escape as the overdose started to possess me. Talk of the game was in newspapers, on radio, on television. Housewives chatted about it, cops worried about it, politicians pegged their fortunes on it.

There was no hiding from it, even in sleep.

Police dogs, helmeted guardsmen, rock-throwing youths, tear gas, loud chants, broken bones. No dreams, just nightmares. Pretty girls and island paradises were pre-empted.

I thought thinking of the game itself might prove a pacifier.

But what's rugby? It's a bunch of guys with mustaches running around in shorts, tackling everything that moves. Even the words don't make sense. Scrum ... ruck ... tries ... maul ... hooker.

Come on, what kind of game is this? Pete Rose wouldn't be caught dead playing it.

OK, so it isn't rugby itself; it's the issue. It's the ugly specter of apartheid, the cruelist form of racial discrimination.

I agree. The game should have been canceled from the word go. To play it would have been a slap in the face to every black in the world. Further, to every freedom-loving, humane-thinking person in the world.

I said six weeks ago, when Mayor Corning was out fishing, the game shouldn't be played. It just wasn't right, and it would spell trouble.

But the mayor thought otherwise, citing constitutional rights and all that.

Maybe it was a matter of pride with him. Maybe he said to himself, "It's my city, and nobody is going to tell me how to run it." Or maybe the mayor was a bit fed up with all the groups that rally 'round a cause, just or not.

And as I stood by, listening to the mayor's statements, the governor's concern, the protests of countless groups, the complaints of the rugby types and freedom-of-sports lovers, the overdose started to set in.

And I wasn't alone.

The overdose was beginning to affect my friends, the buddy-buddy ones and just casual acquaintances. They, too, began growing weary of all the talk. Gripes replaced concern.

The game itself might have brought on a rugby overdose that would have affected thousands. People would have walked the streets with glassy eyes and vacant stares, mumbling "scrum," "hookers" and "Springboks."

A rugby overdose can be a frightening thing. Thanks again, governor, for nipping this illness before it got to the point of no return.

Oh, one final request, gov. Don't let anyone named Springbok move into my neighborhood.

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Cancel the game

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GAZETTE PHONE 374-4141

SCHENECTADY GAZETTE, FRI



"Local law enforcement resources are inadequate to protect the well-being and lives of the people of this state...I have determined that the rugby game should not be held in Albany." — Gov. Hugh Carey.



"There's nowhere to run and nowhere to hide. We have to make a stand. It's the only thing we can do at this point," said Thomas Selfridge, president of the Eastern Rugby Union. "We're going to play Tuesday."



"His order, in my book, has the effect of law." — Albany Mayor Erastus Corning.

## Rugby Union Heads for Court

By PHIL BLANCHARD  
Gazette Reporter

ALBANY — The Eastern Rugby Union will go to federal court this morning in an attempt to overturn Governor Carey's cancellation of Tuesday's Springboks rugby game, the ERU's lawyer said last night.

\* \* \*  
The New York Civil Liberties Union will join the case as a "friend of the court" in support of the ERU's position, according to executive director Dorothy Samuels.

Richard P. Walsh, Jr., the ERU attorney, said: "We don't believe the governor's press release has any legal authority. It's an abridgment of my client's first amendment rights."

Walsh called the governor's statement a "press release" because, he said: "That's all it is, as far as we know. It's apparently not an executive order."

Walsh was preparing his case late last night, planning to go before Federal District Court Judge John J. Foley this morning.

Steven Shapiro, staff counsel of the NYCLU, said: "Regardless of whether a rugby match would be entitled to constitutional protection, the circumstances surrounding this match have clearly converted it into a political event, and as a political event it should not be subject to a heckler's veto."

"It's perfectly clear," Shapiro continued, "that any other rugby team in the world would be able and welcome to play in Albany. This contest is being

canceled because of the political views that some people ascribe to one of the teams. That is not a permissible basis for the government to treat it differently than it would any other team."

Shapiro added: "If the government has a legitimate concern about violence, its responsibility is to ensure there are adequate police resources on the scene and not to withhold those resources and cancel the game because of the threat of violence."

\* \* \*  
Walsh said Judge Foley could either grant or reject the request for an injunction today, issue a temporary restraining order until a hearing can be held, or order the case transferred to another federal judge in Syracuse.

## review is possible

In addition to the opposition from the local group, Corning has also received a request from the American Coordinating Committee for Equality in Sports and Society, known as ACCESS, asking the game be canceled. The mayor's reply acknowledged receipt of the communication and said the matter will be considered.

The mayor's correspondence about the game also included letters from Thomas Selfridge, of the local rugby organization, forwarding various news clippings, noting that controversy was possible about the game and promising to send along information as the issue developed.

Corning said he was in general agreement with New York City Mayor Edward Koch's stand on the matter.

In a letter stating he would not forbid use of city facilities for the match, Koch stated, "The city of New York is not going to place political conditions on the use of its sports facilities. . . . The use of city athletic facilities in no way expresses the city's endorsement of the politics of those using those facilities."

In Wellington, New Zealand, meanwhile, the tour by the South African team apparently will

continue despite demonstrations, a police report of a threatened plane crash into a crowded stadium and violence that resulted in nearly 300 arrests.

The New Zealand Rugby Union and the government left to each other any responsibility for halting the tour, and neither side Monday expressed an inclination to do so.

The tour by the team is planned for two months.

The tour was sidetracked Saturday by the cancellation of a game at Hamilton after 5,000 demonstrators, opposed to South Africa's racial apartheid policies, occupied the field and battled fans. Police advised that the match be canceled because of a report that a stolen plane was en route to the rugby stadium.

A crowd of 27,000 spectators had gathered to watch the team play a local club.

South Africa, which is governed by a white minority, practices legal segregation of blacks and whites.

Since the Springboks arrived eight days ago, almost 300 people have been arrested at demonstrations in New Zealand cities.

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## The Mayor Bows to Carey's Command—

# Corning Cancels Rugby Match

By PHIL BLANCHARD  
and  
STEVE NELSON  
Gazette Reporters

ALBANY — In a statement Mayor Erastus Corning II said had "the effect of law," Governor Hugh L. Carey yesterday canceled Tuesday's controversial rugby match at Blecker Stadium involving the South African Springboks.

\* \* \*  
Claiming he feared the match posed "an imminent danger of riot" that police forces might not be able to deal with, Governor Carey determined "that the rugby game should not be held in Albany."

His statement cited a state police report warning that fringe elements such as the Klu Klux Klan and the Communist Workers Party might make the demonstration planned for the match a battleground of sorts.

The statement was less than a direct order to cancel the match planned in March, 1980 by the Eastern Rugby Union. But Mayor Corning said he was treating it as such.

"I do not agree with it, but I accept it," he said. "Unless something else happens, his order, in my book, has the effect of law."

The governor's office was asked whether the statement was actually an order or just a suggestion to halt the match.

In either case, both the Eastern Rugby Union and the New York Civil Liberties Union said there was strong possibility Carey's action would occasion legal challenges from them.

ERU President Thomas Selfridge said the match would go on somewhere regardless of Carey's action.

The mayor said he had been told by the governor's office before the statement was issued that Carey was going to prohibit the match. When the statement was officially issued, Corning said he again called the governor's office.

"I called back and asked if it was a prohibition," he said.

"Is that the way you see it?" was the reply, said Corning.

"I said, 'Yes,' and they said: 'Well, that's way it is.'"

Asked if Carey's statement was an actual cancellation of the game, a legal aide in Carey's office who requested anonymity said: "That cannot be answered yes or no. Mayor Corning had said to me he had taken the statement as a prohibition of the game. I think he was correct in thinking this was a prohibition of the game."

"What is the difference in ordering it cancelled and a prohibition?" Corning asked when questioned about the statement. "He said in his statement that the laws of the state of New York give him that power."

\* \* \*  
Selfridge was bitter in his denunciation of Carey's action.

"Maybe he's like a lot of politicians, like those in Rochester who thought, 'Here is an issue I can latch on to.' A Springboks game scheduled in Rochester was canceled under pressure from police and city officials."

"We're going to play Tuesday," he said, despite Carey's edict. He said he was reviewing with Schenectady attorney Richard Walsh the possibility of legal action to reverse the governor's decision.

"We're assessing all of our options and right at the moment that is our clearest option," Selfridge said on a radio talk show last night. "We feel there are a lot of alternatives that can be utilized, but there's nowhere to run and nowhere to hide. We have to make a stand. It's the only thing we can do at this point," Selfridge said.

When NYCLU executive director Dorothy Samuels heard of the decision, she called the governor's office and spoke to John McGoldrick, the governor's legal counsel. She said she asked for information on Carey's ruling. McGoldrick responded, she said, by reading the prepared statement but he refused to expand on it.

"I'm completely amazed and frustrated with getting the governor's counsel to clarify the statement," she said.

Describing Corning's position to day as "courageous," Samuels said Carey was showing "uncharacteristic insensitivity to people's rights. It's surprising."

\* \* \*  
One of the questions Selfridge posed to the governor's office

was whether the ban extended to the Springboks' playing on a privately-owned field.

Although he still hopes to hold the match between and ERU all-star team and the Springboks in Blecker Stadium, Selfridge said he does have other fields available both in and outside New York.

He declined to identify those fields.

Corning ruled out the use of any field, private or public, in Albany.

"Based on his (Carey's) order, I would send the police stop it," he said.

Selfridge ruled out moving the game to another city.

"It's unrealistic at this point to go to any other municipality," he said.

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## Rugby Fans Protest the Cancellation

ALBANY — In a protest whose premise came to Scotia rugby fans "over a couple of beers," about 20 persons marched outside the Governor's Mansion last night to condemn the cancellation of the Springboks game.

Larry Rowse, president of the Schenectady Rugby Club, Inc., said Carey "opted to negate my right to attend the match in favor of those who would use violence. I just want to go to the game and enjoy it."

"Why didn't the governor cancel the demonstration?" asked Rowse.

Carey was not in the mansion while the picketers marched outside the mansion's main gate on Eagle Street.

Mike Drouin, a rugby enthusiast who helped organize the protest from Peckham's Place, a Scotia tavern, said "we've been silent since this whole thing started. We (rugby fans) are a minority and we wanted to make our feelings known."

## Protests May Go on Without the Game

By STEVE NELSON  
Gazette Reporter

ALBANY — Game or no game, the organizations opposing the U.S. tour of the South African Springboks rugby club will rally at 5 p.m. Tuesday at the state capitol.

The massive demonstration planned for the Springboks-Eastern Rugby Union match at Bleecker Stadium Tuesday evening will go on as planned even though Governor Hugh L. Carey yesterday prohibited the match from taking place.

"Our goal is to stop the apartheid rugby tour," said William Robinson, a spokesman for Stop the Apartheid Rugby Tour. Robinson hailed Carey's decision as "a victory for the American people."

He said it was the belief of SART and other groups opposing the match that Carey made his decision based on "tremendous opposition" the game, and the South African tour, has generated.

However, Robinson said the groups resented Carey's reference to the potential for rioting outside Bleecker Stadium.

"We resent the fact the protest was depicted as being violent," he said. "We the ERU

bringing up violence as a tactic to obscure the real issue...apartheid."

Organizers were expecting 5,000 or more people at the match Tuesday. Since the real issue is South Africa's extreme racial discrimination and segregation policies, the demonstration does not rely on the match taking place, Robinson said.

There will be a "Victory-Solidarity" rally at 5 p.m. Tuesday at the state capitol, the same time the rally was scheduled to begin before the game was cancelled, said Maggie Kirwin, spokeswoman for the Capital District Coalition Against Apartheid.

Robinson and Kirwin said they are aware the ERU is seeking to hold the match somewhere in the Capital district regardless of Carey's decision.

"Where ever the Springboks play we will find them," he said. "Where ever we find them, we will protest..."

Kirwin said Carey would be urged to ban the game from taking place anywhere in New York State.

Buses carrying protestors from New York City, Philadelphia, Boston, New Haven, Hartford, Syracuse, Rochester and other cities are expected for the rally.

## He's Just a Rugby Man

CHICAGO (UPI) — Abe Williams shrugs off epithets like "Uncle Tom." After all, he says, he's just a rugby man.

Williams, 40, a grade school principal from Cape Town, South Africa, is one of two racially mixed members of the controversial Springboks South African rugby team.

"They have called me 'Uncle Tom' in New Zealand," Williams, assistant manager of the team, said Wednesday. "I just feel that I am a rugby man and an educationist. I am just trying to do my bit to change our society."

The Springboks are in Chicago for a game with a team of

Midwest all-stars Saturday.

Williams told the Chicago Sun-Times his presence with the rugby team is indicative of progress in South Africa because "all the boys on this side (team) have proved themselves."

Williams, national secretary of the Colored Rugby Federation, said efforts are under way to achieve full integration in sports in South Africa.

"We are using sport, and up until now it has done much to better relations," he said.

Williams said he understands the objections of anti-South African protestors, but will "simply ignore" them.

## Text of Governor's Statement

The following is the full text of Governor Hugh L. Carey's statement:

"I have met with my advisors and representatives of the city of Albany and law enforcement agencies with respect to the rugby game involving the South African National Rugby Team scheduled to be held in Albany, New York on Tuesday, September 22, 1981 at Bleecker Stadium.

"Based upon the information which has been presented to me, I believe there is an imminent danger of riot and breach of the peace should the proposed rugby game proceed as scheduled.

"Also, I have been provided with information and intelligence that local law enforcement resources are inadequate to protect the well-being and lives of the people of this state and the properties of the state and its people if the proposed game proceeds.

"Although there is legal authority to deploy the State Police and call into active service the National Guard in situations warranting their assistance in preserving peace and order, the threat posed by the scheduling and holding of the proposed rugby game may not adequately be countered by such measures, and, indeed, may even be exacerbated by such measures.


"In addition, I have been advised that the financial costs to state of the mobilization of forces sufficient to meet reasonably anticipated disorders would be substantial.

"Accordingly, I have advised Albany Mayor Erastus Corning that, consistent with my constitutional obligations as Governor and recognizing my responsibility as Governor to take care that the laws are faithfully executed, I have determined that the rugby game should not be held in Albany."



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## Editorial Page (??)



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### *A victory, warts and all*

So the controversial South African rugby team won't be playing in Albany after all. Does that mean those who opposed the team's appearance here because they oppose South Africa's racial policy of apartheid were right, and those who would have allowed the game, specifically Mayor Erastus Corning II, were wrong?

Gov. Carey's ruling that the game was so controversial as to pose a security threat to Albany if the Springboks were to play in Bleecker Stadium gives no faction a clear victory. It does, however, present a lesson in how democracy works, warts and all. And we emphasize the warts.

When the South Africans were first invited to play in Albany, it seemed that the mayor had made a difficult decision to allow them to use the city's stadium. We disagreed with that decision then — and we applaud the governor's action now — because we felt those who oppose apartheid must send a message to those who embrace it. We still hold to that view.

Mr. Corning emphasized that he personally abhorred apartheid but that our nation's democratic traditions prevented him from keeping the South Africans out simply because of their government's racial views.

But it soon became a matter of debate whether the rugby team was indeed separate from their government. As Donald Woods, an exiled South African journalist, said in Albany this week, the South African government sponsors the team's international tours as a means of winning acceptance in the western world.

And long before Mr. Woods' appearance, religious leaders and groups such as the National Association for the Advancement of Colored People protested the match for still other reasons: It was out of keeping with our own laws against racial discrimination and it was an affront to the area's black citizenry.

In the end, none of these arguments prevailed. The match was canceled, the governor said, because the spectre of a massive protest in the city provided an "imminent danger of riot." It was the decision that opponents of the game hoped for, but its pretext did no honor to them. What really prevailed was a show of strength, not democracy.

And yet it was clearly the right decision, although for the wrong reasons.

It would have served everyone's interests if Mayor Corning had changed his position and canceled the rugby match on the grounds that the South African government had politicized the team through its sponsorship. In this respect, Mr. Woods had the most convincing argument of all when he asked how Americans would have reacted if the students in Teheran who seized our hostages were to seek permission for their sports teams to play here? Who would dare say yes? Who would deny the political connections?

The larger question in all of this is whether wrong reasons should be counted on to bring about the right results. The answer in this case seems to be that whatever flaws there are in our free system, they balanced out.

Consider the main protagonist: Mayor Corning often invoked the Constitution in support of his position, but his own Common Council throttled an attempt by one of its aldermen to present an opposing view. It was hard to miss the irony that the Springboks' only chances for playing in the United States were in machine cities like Albany and Chicago. And it was also hard to miss the irony that the ranks of protestors had grown to include not only civil rights groups but also the Soviet Union.

Still, justice has been done. No matter how many warts, our system still works.

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# Carey cites riot risk; rugby

(This story was reported by staff writers Fredric U. Dicker, Cliff Lee, David Brown and Tom Friedman.)

Declaring "an imminent danger of riot and breach of the peace," Gov. Hugh L. Carey issued a statement Thursday saying that the Springboks rugby match should not be held at Blecker Stadium in Albany on Tuesday.

Within hours both the governor and Albany Mayor Erastus Corning II had agreed that the game would not be played in city-owned Blecker Stadium. Carey, furthermore, vowed it would not be played anywhere in Albany.

But shortly after that, Tom Selfridge, president of the Eastern Rugby Union, sponsor of the game, said that it would be held, even if it had to be played at a private location.

"The rugby game is going to be played," Selfridge said Thursday afternoon in Schenectady.

Commenting on a report that Carey said he'd have the rugby players arrested if they played "even in a potato field," Selfridge said: "I really don't think the governor or State Police can arrest you for playing rugby." Meanwhile, those who had threatened to

protest the event said they welcomed the governor's action. But they said they were prepared to demonstrate against the game if it were played at a private site.

"We do not regard our mission as accomplished," said Bill Robinson, a spokesman for Stop the Apartheid Rugby Tour (SART) in Albany. "We said at the beginning that we would stop the apartheid rugby tour and we intend to do just that."

"We will remain vigilant and intensify our efforts," he said. "Wherever the Springboks play, we will find them. Wherever we find

them, we will protest."

The governor's one-page statement did not state that Carey had banned the game -- an omission which sparked confusion over the legal significance of Carey's action.

Carey spoke with Mayor Corning shortly before the statement was released, and then boarded a helicopter and flew to New York City, leaving the job of attempting to explain the statement to a few aides.

The operative words in the governor's statement seemed to be "I have determined

that the rugby game should not be held in Albany."

The mayor vehemently disagreed with what he clearly felt was Carey's order that the South African rugby team's game be banned.

Corning said Carey made "a unilateral decision" to cancel the rugby game, but quickly added that he would abide by the governor's decision.

He added that he had not changed his position on the game and, if Carey had asked

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## game 'off'

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# Carey cites risk of rioting, calls off rugby match

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him to cancel the game, he would have refused.

Corning, who has maintained the South African team has a right under the U.S. Constitution to play in Albany, said he is "in no position" to challenge Carey's decision.

"He (Carey) prohibited it (the game) being played anywhere in the city," Corning said. "He's the governor of the state and that's it."

The mayor told WGY radio Thursday. "As far as I am concerned whenever you feel that you are right in something that you have spent a great deal of time on, that you made a very unpopular decision in a great many places, that you went against the bishop, you went against a large number of your constituents, you felt you were right and then somebody in higher authority takes that away from you, of course you feel let down.

"But that's all I can say. He did it. It's his decision. He made it."

Ironically, at a press conference in Albany Aug. 21, Carey had a different opinion when he was asked about Corning's decision to allow the Springboks use of Blecker Stadium.

He replied, "If I'm here for 50 years more you won't hear me make a public recommendation to the mayor."

Actually, it took only 25 days. For on Tuesday, at his first Albany press conference since a two-week honeymoon in Greece and Ireland, Carey reversed himself dramatically.

"I don't think the team should be playing anywhere in the United States, and that includes Albany," the governor said, announcing the State Police study that prompted his action on

## 'If I was governor, I would have canceled the demonstration...'

— Tom Selfridge  
Eastern Rugby Union

The governor maintained Thursday that his decision resulted from information provided by the State Police and other police authorities, and said he had concluded that Albany law enforcement agencies would be unable to cope with the threat of violence posed by the game.

State Police had told Carey that thousands of demonstrators, including members of the Ku Klux Klan and the militant Communist Workers Party, planned to come to Albany for rallies outside Blecker Stadium to protest, or support, the presence of the South Africans.

Carey, in his statement, ruled out sending in State Police or the National Guard for assistance, contending "the threat posed by the scheduling and holding of the proposed rugby game may not adequately be countered by such measures and, indeed, may even be exacerbated by such measures."

The precise legal significance, and the legal basis, for Carey's action remained unclear Thursday and senior

aides to the governor, including Jill A. Schuker, his press secretary, flatly refused to say if Carey had, in fact, banned the rugby match.

"Mayor Corning said to me he takes the statement as prohibiting the game and I certainly believe he used good phraseology," said a senior legal adviser to the governor, who refused at an afternoon press briefing to allow his name to be used.

Asked directly if Corning was correct in believing Carey had prohibited the game, the adviser was evasive.

"That cannot be answered yes or no," he said.

The aide said that question was one of many which "may be raised in the court of law."

The aide was unable to cite any specific statute permitting the governor to block a public assembly in the interest of public safety, although he said Article 4, Sections 1-3 of the state Constitution was the basis for Carey's action.

Those sections contain a general description of the governor's responsibilities, including his designation as commander-in-chief of the military and naval forces of the state.

It was apparent, however, that legal challenges might be mounted. The New York Civil Liberties Union said it was reviewing the matter with an eye toward legal action.

Selfridge, president of the rugby union, said outside the Dutch Reformed Church in Schenectady where he attended a Rotary Club luncheon:

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"I never wanted to enter into the political arena but we have now. I feel he (Carey) has clearly taken away our rights ... I don't think he has the right to set foreign policy."

"If I was governor I'd have cancelled the demonstration," he said.

He said he has hired lawyers to examine the legal ramifications of the governor's action and will announce the next step as soon as he had heard from them.

That action, he said, might be a request for a court order to stop the scheduled protestors or limit the size of the demonstration.

He declined to name his lawyers, only saying some were "from inside the state and others from outside."

Selfridge said he has alternate sites in New York State, though no arrangements have been completed.

"I like New York for the game because we are in the middle of the highest concentration of rugby players in the country with all the clubs in New England and in this state," he said.

Asked if it might be in a public stadium replied: "Only if there is some mayor of some city who cares about law and order ..."

Throughout the day, questions were being raised about the constitutional aspects of Carey's action.

In his objection to the rugby match, Carey had said that "substantial" costs would result to the state because of additional security personnel that would be required.

But that concern raised the eyebrows of Lt. Gov. Mario M. Cuomo, who said he found it "disconcerting" that cost and public assembly had been linked in a First Amendment matter.

"The reference to dollars suggests that you don't have the right to expression or the use of public facilities unless you have substantial sums of money at stake ... That's kind of disconcerting."

However, while Cuomo said "as a private citizen" he would have supported Corning's decision to allow the Springboks to play in Albany, he said he would have changed his mind once it became known that the State Police believed serious violence could erupt.

Cuomo predicted that suits would be filed challenging the legality of Carey's action. He said "people have called me up to say they were going to bring a challenge."

State Attorney General Robert Abrams is on a tour of China and was unavailable for comment.

Corning added that he was not interested in whatever legal authority Carey may cite to support his decision to overrule Corning in the matter.

"I'm sure he (Carey) has competent legal advice," Corning said.

Ironically, it may have been statements by Corning and information provided by Albany police that gave fuel to the Carey decision.

It was learned that a large portion of the information in the State Police report Carey cited in his decision to overrule Corning came from Albany police.

Corning also said he contacted Carey on Monday and told the governor there was a "possibility we (city) might have to call on the State Police and the National Guard to preserve order" during the rugby demonstrations.

State Police Superintendent William G. Cornelle said Thursday "a lot" of the information included in his report to Carey was provided by Albany police, but refused to disclose what this information was.

Corning said the information provided by Albany police was "worked up through their meetings" with State Police and that it was made available "long before I asked" the governor about State Police and National Guard help at the game.

Meanwhile, protest organizers who had planned the march and demonstration Tuesday in opposition to the rugby match said they were jubilant about the decision to cancel the match, but said their work is not complete.

Protest organizer Robinson called Carey's decision, "a tremendous victory for the American people and for justice-loving people throughout the world who detest apartheid."

In a prepared statement he said, "We know that the match was cancelled because of the mass opposition to the Springbok tour ... The fact that at least 10,000 to 15,000 people were ready to protest in Albany is testimony to the American people's rejection of the Reagan administration's South African policy, which is based on support for apartheid."

Robinson said SART members were not concerned about the constitutionality of Carey's decision because they felt "that (the South Africans) being here violated the constitution in the first place."

Thursday morning, before it was clear that the match had been cancelled, several student groups at SUNY-Albany held a press conference to announce

united student opposition to the match.

Cliff Thornton, a spokesman for the Capital District Black Students Coalition, said students would be asked to vote against Mayor Corning because of his stand on the rugby issue.

"As it stands now, we are a part of his constituency, and he must be accountable to his constituency," Thornton said. "We will hold him accountable for his actions."

Thornton discounted reports of groups coming to Albany as agitators.

"The appearance of the Springbok team is the antagonizing element," he said.

Howard Straker, of the Capitol District Black Student Coalition, said students were concerned that if there was any violence at the match it would be by police and said students would marshal their demonstration to be sure it remained peaceful.

About 15 persons picketed the Executive Mansion on Eagle Street briefly Thursday night in opposition to Carey's action.

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S. AFRICA REACTS:

## Carey's game ban headlined

Associated Press

JOHANNESBURG, South Africa — South Africa's leading morning newspapers Friday reported the cancellation of the Springbok rugby match in Albany with bold front-page headlines.

"Boks U.S. Tour Reels Under Double Blow," the Rand Daily Mail announced.

The story described the South Africans' American tour at "crisis point" after the Albany action.

"U.S. Governor Cancels Bok Game" was the banner headline of the pro-government Citizen, which quoted Gov. Hugh L. Carey as saying there was "imminent danger of riot" if the game were held in Albany.

The main stories in two Afrikaans-language dailies, Beeld and Die Transvaal were headlined "Yanks Hit Boks With Another Ban" and "Setbacks Hit Springboks."

The South African team's visit to New Zealand last month prompted violent protests by demonstrators opposed to the white-minority government's official racial segregation policies.

The New Zealand action was condemned by The Citizen in an editorial this week that asked rhetorically whether "... a manipulation of protest to the point where it went beyond the bounds of reason, beyond the bounds of lawful action, beyond the bounds of what is, or should, or can be expected in a country as remote as New Zealand is from South Africa, as uninvolved as New Zealand is in our own and our subcontinent's problems."

In another editorial, The Citizen said that "nothing underlines the hypocrisy surrounding the demos against the Springboks (better) than the threat by Russia to ask the International Olympic Committee to move the 1984 Olympics from Los Angeles if the Springboks are allowed into the United States."

"By any standards of comparison, South Africa, with all its faults, and we admit there are many, is a veritable paradise compared with the Soviet Union."

"By comparison, it is Russia that should be in the world dock, not South Africa."

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## Rugby players in area cry foul

By BRUCE SCRUTON

Knickerbocker News Reporter

Rugby players, the object of threats of protest and violence for the last few weeks, held their own protest, picketing the Governor's Mansion after Gov. Hugh Carey decided to cancel their game with the Springboks, the South African national team.

The impromptu picket line went up Thursday night after two men, meeting in a Scotia tavern, decided to show their anger over the governor's decision to call off the game.

And those who showed up for the demonstration were angry.

'Last year we couldn't go to the Olympics, but this year we sent a track team over there. I haven't heard, are the Russians out of Afghanistan now?'

— Scott Pyle, area rugby player

Larry Rouse of East Greenbush, president of the Schenectady Reds, a member team in the Eastern Rugby Union, which is sponsoring the Albany match, said of Carey: "He is not doing his job by knuckling under to mob-ruled pressure groups. If he can't do his job, let him resign and get someone who can."

"By bowing to these 'threats' of violence, it shows he had no backbone."

After the mini-demonstration, the picketers, who are "club" players and not of the caliber required to



Knickerbocker News/Tom LaPoint

**MANSION PICKETED** — Members of a Schenectady rugby team let Gov. Hugh Carey know they disagree with his cancellation of Tuesday's rugby game by picketing the Governor's Mansion in Albany Thursday evening.

play the Springboks, retired to an Albany tavern, where the denunciation of Carey was just as strong.

"He (Carey) is full of baloney," said Scott Pyle of Schenectady. "Corning had the right idea" in originally allowing the game to be played at Bleecker Stadium.

"Politics and sports should go their separate ways," Pyle continued, pointing one finger right and another left, "but in reality I know they can't. So if they can't, why can't we have the game?"

Others in the tavern pointed out that almost a dozen other teams from South Africa have played in the United States already this year.

"Yeah," chipped in Pyle, "and so have the Russians, the Chinese. Last year we couldn't go to the Olympics, but this year we sent a track team over there. I haven't heard, are the Russians out of Afghanistan now?"

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## Area players cry foul ...

### CONTINUED

Mickey Pahl of Scotia, one of the two men who organized the Thursday picketing, said he was "very disappointed" when he heard Carey had scuttled plans for the game.

"Here I am, just 10 miles away from where the best team in the world is going to play, and now I can't see them," he said.

But Don "Cush" Cushine of Troy said the game would go on "even if there are only 31 people there."

"A rugby team has 15 men and there is one referee for the game.

Pahl agreed that even if there were no spectators the game probably will go on.

"All we need is a flat area, two goal posts and some semblance of lines," he said.

"This game is being played for the benefit of the players in the (Eastern Rugby) Union. This is the best team in the world we are talking about. We invited them here to learn more about rugby.

"Every one of these people," he said pointing to those in the room, "is against apartheid."

It is South Africa's policy of apartheid, or separation of races and a policy of discrimination, which has protesters threatening to demonstrate against the appearance of the South African team, named the Springboks after a native antelope.

"Rugby is helping blacks break out over there," said Mark Wahl of Rotterdam. Referring to the manager of the Springboks team, who is black, Wahl said that by playing rugby and visiting other countries, the ideas of freedom and democracy are carried back to South Africa.

Over and over, the players said there politics was not involved in the game of rugby.

"This isn't like most American sports where you are taught to intentionally hurt the opponent. Rugby is more social. We do things together. And during a match, if tempers begin to get hot, someone says, 'We are here to play rugby,' and everyone says, 'Yeah. Let's play,'" said Mickey Druin, the other organizer.

"When I tackle someone on the field, I don't ask his politics as we're getting up," he added.

"We are not the ones who are threatening violence," said Pyle.

"Let Carey enforce the law," Rouse said. "Don't let the mob rule, but let law rule. We're not criminals. It's the demonstrators who are.

"He's inserting his own feelings. He likes to get involved in foreign affairs, but I haven't seen him appointed secretary of state."

"What the governor is really saying is that anyone who threatens to demonstrate can run the government," said Pahl.

Then speaking rhetorically, he continued, "Does that mean if the 16,000 or so in the Eastern Rugby Union don't like Reggie Jackson, we can threaten to picket Yankee Stadium and the governor would call off the game?"

"It gets right down to this. No matter where they (the Springboks) have shown up and there has been violence, it hasn't changed a damn thing down there (South Africa).

"We don't show up at Bleecker to condon or oppose their politics. We will show up to beat them at their own game."

## The rugby controversy

# Springbok tour called very important

By Carol Polsky

Staff writer

A State Department review of United States policy toward South Africa last March left unchanged a prohibition on visits by official South African sports teams, a state department official said Thursday.

The visit by the Springbok rugby team, according to the State Department's position, does not fall under that ban because it is "a private sports group with no government connections."

black African nations such as Kenya, Zimbabwe, and Somalia, the congressmen were urged to try to stop the games from taking place because "they would seriously compromise America's image and position throughout the continent," Wolpe said.

The tour, he said, is being used by the South African regime as evidence of its growing respectability in the United States and internationally.

"I fear we are playing directly into the hands of the Soviet Union, giving

U.S. Sen. Daniel Patrick Moynihan, D-N.Y., has come out against the tour, while U.S. Sen. Alphonse D'Amato has taken no official position, according to an aide.

But U.S. Rep. Samuel Stratton, D-Amsterdam, a ranking member of the House Armed Services Committee, said he supports the overtures made by the Reagan Administration toward closer relations with the South Africans on strategic grounds.

While condemning apartheid, he said, he supported the right of the Springboks to play rugby here. And,

## 'politically' to South Africa

he said. "I don't think we can assume that because we despise what the South Africans are doing in regard to their racial policies that we should ignore all of our other interests there."

Among them, he said, were that country's strategically important minerals, including gold, its strategically important location at the tip of Africa near our oil route from the Persian Gulf and its bases which

could support a U.S. rapid deployment force going to the Persian Gulf region.

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## **Was it ordered, and is it legal?**

By ERIC FREEDMAN

Knickerbocker News Capitol Bureau

Has anybody canceled Tuesday's scheduled rugby game?

No — at least officially.

Even though the match is off, Gov. Hugh Carey hasn't explicitly canceled the game. Nor has Albany Mayor Erastus Corning II.

The Eastern Rugby Union (ERU) says it is considering legal action to force the city to allow the game to take place.

And the New York Civil Liberties Union contends Carey is party to a "heckler's veto" under which anyone can cancel a controversial event by threatening violence.

Carey's statement Thursday that he had "deter-

### **Analysis**

mined that the rugby game should not be held in Albany" apparently has no enforceable legal effect.

According to Carey's press secretary, Jill Schucker, the governor made a "determination" which "in effect, and I underline the words 'in effect,' canceled the game."

So what did the governor really do?

- He did not issue an executive order to cancel the match between the Springboks of South Africa and an ERU team.

- He did not order Corning to revoke permission to use of the city-owned Blecker Stadium.

- Carey cited his "constitutional obligations" as commander in chief and chief executive as authority for the "determination," but his office declined to specify beyond that under what statutory authority he acted.

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# Was 'cancellation' ordered, and is it legal?

## CONTINUED

... The governor had said all week the final decision was up to Corning as "chief magistrate" of the city.  
... And the governor's action "obviously is not a law," a senior Carey adviser conceded.  
... Corning says he interprets the governor's statement as a "prohibition" of the match. And he says Carey made a

"clearcut unilateral decision."  
Is it a prohibition? The governor's office declined to predict "what a final court might characterize this statement to be."  
His advisers emphasized the decision was limited to Albany, but said it made no difference whether the game was to be played at a private rather than public facility.

Carey has the authority under the Executive Law to temporarily suspend local laws, ordinances, rules or regulations during a "state disaster emergency," natural or man-made.

To exercise that power, however, he first would have to seek the advice of the state Disaster Preparedness Commission, a step he did not take. The commission was not even convened to discuss the rugby match.

He could also have ordered the state police to assist the Albany Police Department, and could have summoned the National Guard.

Carey said those steps might be inadequate and asserted they had the potential to "exacerbate" the chance of violence.

The Carey administration declined to release reports assessing the likelihood and potential scope of violence inside and outside the stadium if the game was held as scheduled.

In addition, calling up the National Guard would have raised legal questions, according to Lt. Col. Marvin Shiro of the state Division of Military and Naval Affairs.

National Guard members do not have police officer or peace officer status, and "There are a lot of problems with giving us a law enforcement role," Shiro said. "If we get in a confrontation situation, what do you do then?"

Shiro noted that the National Guard provided only administrative and medical services, not law enforcement assistance, at the 1980 Lake Placid Winter Olympics.

Sarah Birn of the state Civil Liberties Union criticized Carey's statement and said: "We think the mayor is absolutely correct that they (the Springboks and ERU team) have a constitutional right to play. In the civil rights marches in the South, we had to continually go to court because the local authorities were denying marchers permits on the excuse the march might provoke violence."  
"You cannot make use of city facilities based on a political litmus test."  
Carey's office replied, "The governor has a deep concern for First Amendment rights."

Thomas Selfridge of the ERU said his organization was considering the possibility of court action to compel the city to allow the game to go on.

# Rugby Union heads for court

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By MICHAEL SHENKER  
Capitol Bureau Reporter

ALBANY — The Eastern Rugby Union was to file suit in federal court today to fight the cancellation of the South African Springboks rugby game, which was to be played next Tuesday.

Albany attorney Richard Walsh was to ask for a preliminary injunction against Gov. Hugh L. Carey and Albany Mayor Erastus Corning 2nd in an effort to gain access to the city-owned Bleecker Stadium for the controversial match. The New York Civil Liberties Union, which criticized the cancellation of the match as a denial of First Amendment rights, is filing a brief as a friend of the court.

Walsh, who is representing rugby union president Thomas Selfridge, worked with attorneys for the civil liberties union to prepare for the action, according to Sarah Birn, associate legislative director for the NYCLU.

Walsh was to file his petition with Judge James T. Foley of the federal district court in Albany, Ms. Birn said.

One problem in the case is determining whom should be named as respondents, since neither Carey nor Corning ordered the game canceled.

Carey issued a carefully worded statement Thursday saying that, because of the threat of violent protests at the match, "the rugby game should not be held in Albany."

Corning later said the governor's action "prohibited" the game from being played.

The mayor said he took no steps to keep the rugby teams out of the stadium. No city

permits had been issued for the match, he noted.

A top aide to Carey later explained that the governor deliberately stopped short of ordering the game canceled. It was unclear, however, why he did so.

"We did not deem it necessary to issue an executive order in this case," said the aide, who agreed to answer legal questions on the condition that he not be identified.

"It's not clear what (Carey has) done," said Gara LaMarche, assistant director of the civil liberties union. "He's almost deliberately made it ambiguous."

Corning, who before Thursday had refused to cancel the game, despite mounting opposition to it, thought the governor's instructions were precise.

"He made it very clear that it's an order," the mayor said.

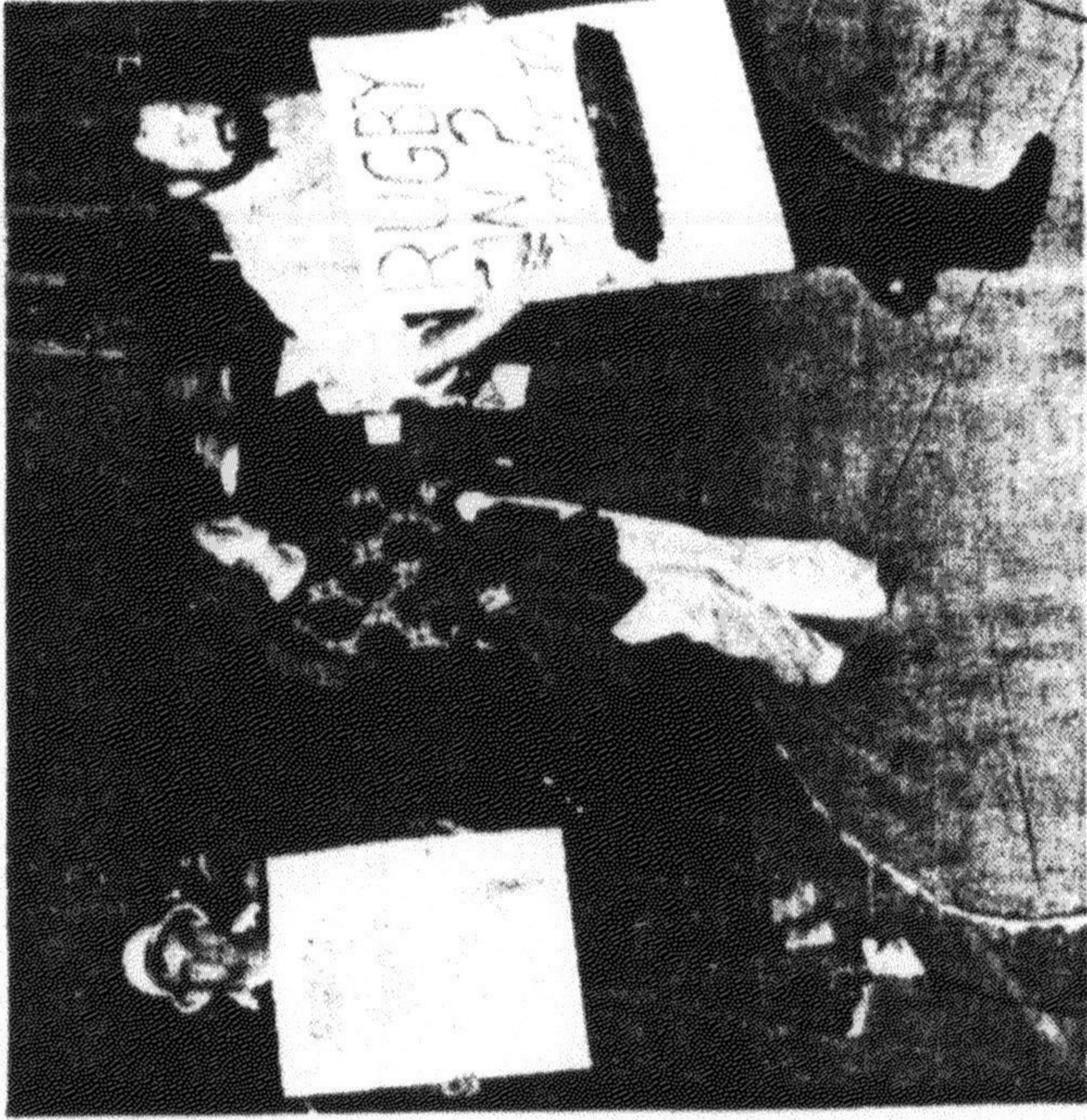
But Corning said he could not recall who told him the game was off. "Either the governor, (his legal counsel John) McGoldrick or secretary Robert Morgado. The thing moved quite quickly," the mayor said.

Civil liberties union officials, noting that the Springboks team was drawing protests because of South Africa's policy of apartheid, or racial separation, argued that the match was called off because of its political nature.

If the cancellation is allowed to stand, Ms. Birn said, "anybody could cancel any political speech by threatening violence."

"It's so easy to see how this could extend to all but the non-controversial," added Dorothy Samuels, executive director of

Photo by Ed Ruping



**EXECUTIVE PROTEST/** Rugby players and fans demonstrated in front of the governor's mansion in Albany Thursday night to protest the cancellation of the rugby match that had been scheduled for Tuesday at Bleecker stadium.

the union. Corning said that when he first heard the governor's statement, he asked for a clarification. Corning was then told that Carey's statement "prohibited" the game from being played, he said.

Asked if "prohibiting" the game was the same as ordering it canceled, Corning replied, "I'm not a lawyer."

Selfridge said Thursday that he might try to play the game

York City, leader of a nationwide coalition, Stop the Apartheid Rugby Tour.

"Just a big sigh of relief," added Clara Satterfield, president of the Albany chapter of the NAACP.

The governor issued his statement after receiving a report from the state police, which purportedly stated that the Ku Klux Klan and the Communist Workers Party were mobilizing for a possible confrontation at the stadium. A Carey administration official said "hundreds" of state troopers, and perhaps even the National Guard, would be needed to provide security at the match.

Even if those security forces were deployed, Carey said in his statement, "the threat posed by the scheduling and holding of the proposed rugby game may not adequately be countered by such measures."

"I believe there is an imminent danger of riot and breach of the peace should the proposed rugby game proceed as scheduled," the governor said.

Several aides to the governor said the state police report would not be made public, though certain details of it already had been published.

The Carey aide who asked that he not be identified said the governor had the authority, under the state Constitution, to order the game canceled.

But when asked if Carey's statement amounted to an order, the aide replied: "That cannot be answered 'yes' or 'no.'"

The official did say, however, that the statement amounted to a "prohibition" against playing the game in Albany, but not anywhere else.

at a private, undisclosed location. But not if that would result in the arrests of any team members, he added.

Opponents to the rugby match, who predicted that as many as 10,000 anti-apartheid protesters from around the Northeast would show up at the stadium Tuesday, said they were pleased the game was canceled.

"It's a fabulous victory," said Richard Lapchuck of New

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# Springboks weren't only South Africans in town

By BRUCE SCRUTTON  
Knickerbocker News Reporter

There was another rugby team from South Africa in Albany Tuesday — the forgotten one, not even allowed to attend the main after-game party with the Springboks.

The Edwardians, a club team from Johannesburg, has been on tour in this country, since before Labor Day and virtually no one noticed.

The team was originally scheduled to play the first game of Tuesday's doubleheader in Albany's Blecker Stadium. But for reasons not known to team members, their role was cancelled.

The team manager, approached several times at the Thruway House in Albany where the Springboks party was being held, wouldn't talk to a reporter.

"We're scared silly of you," he said, declining to even give his name.

When he was turned away from the doors to the private party, he huddled with a man wearing a jacket with a patch from Rhodesia, who also declined to give his name or comment on why he was barred from the party.

Officially, Thomas Selfridge, president of the Eastern Rugby Union, which hosted the Springboks, said the party was for the four teams which did play Tuesday night and for those "who helped put it all together."

At the door to the private banquet room, he nodded to plainclothes Albany police officers, indicating who would be allowed to enter and who was to be barred.

When confronted by the Edwardians' manager, Selfridge gave no reason for

the team's being barred. Even a request for "just the manager" to join the party met with a solid "No."

Some members would talk, although only one would publicly identify himself.

Paul Botha said his team had played eight games in this country and the ninth and last game of the tour was to have been in Albany.

"Really, we are a 'third level' team in South Africa," he explained. He said an equivalent of the playing ability between his team and the Springboks would be similar to comparing a good American high school football team with a pro football team.

The team played two games in Chicago, four in Milwaukee, and one each in Orlando, Fla., and Boston.

"When we played in Boston, we got just a little story on the pages devoted to sports," one of the players said. "It only said we played against this Boston team and gave the score."

Rugby teams from South Africa have been making annual tours to this country for years, another group of players said.

"Americans are very friendly. We have been made to feel welcome," said another player.

One of the players said many members of the Edwardians are not South Africans. Some, he explained, are from Britain or other countries and had gone to South Africa to find work.

Because of their accents and their blazers with the club patch, they were mistaken by reporters in the motel lobby for members of the Springboks.

## EDITORIALS:

# Calling off the rugby game

We are disturbed with the reasons and the manner in which the scheduled rugby game between the South African Springboks and the Eastern Rugby Union was cancelled.

Since the game was originally announced more than six weeks ago, it has more and more taken on the aspect of a media event. That is, the importance of the discussion and demonstration surrounding the game has by far superseded the inherent importance and significance of the game itself. Any chance of keeping the game solely a sporting contest was destroyed by its elevation to a media event. Indeed, the ballyhoo has snowballed to the point where Communists and Klansmen and other yahoos threatened to make Bleecker Stadium a soapbox for their own warped ideas.

Gov. Carey, by pressuring the city of Albany, and Mayor Corning, by acquiescing to the governor, have managed to censor the game on the highly dubious grounds that adequate security for the fans and demonstrators cannot be assured.

But Mr. Carey ignores what has become, largely because of the game's opponents, the essentially political nature of the game. Mayor Corning has contended that the South African team had a constitutional right to play in Albany because the South African's rugby tour was at least in part a political act.

In an editorial six weeks ago, we agreed with the mayor's decision, but insisted that the rugby game in and of itself did not constitute a political act. We did so believing that if all sporting contests between teams from different nations are political in nature, and if competing against a team confers a legitimacy on the other government's actions, then we would be obliged to pull out of every Olympics competition. We cannot, after all, support the internal policies of the Soviet Union or China or Cambodia or Argentina. We still believe that and still maintain the distinction between politics and sport.

While it was at first possible to view the game between the Eastern Rugby Union and the Springboks as solely a sporting event, those on both sides of the dispute — including Mr. Corning, Mr. Carey, and the many groups opposed and in favor of the game — have now thoroughly politicized it. We suspect that even Thomas Selfridge, the man who invited the South African team here and accepted a \$25,000 cash contribution from a South African businessman to promote rugby, may not be the apolitical actor he presents himself as being.

Albany Times-Union

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The very evident political nature of the game arguably provides strong support for the claim that it should be afforded the protection guaranteed by the First Amendment's free speech and assembly clause — precisely the grounds on which Mr. Corning initially based his decision to let the game be played.

If First Amendment protection is called for, then the mayor and governor are obliged to provide the security necessary to insure that the game can be played. As the noted authority on First Amendment cases, Burt Neuborne, has said, before a decision to deny First Amendment guarantees can be made, there is a heavy burden on the authorities to prove, first, that there would be violence and, second, that the police forces could not control or limit it.

Another distinguished constitutional Harvard law professor, Alan Dershowitz, has said, "Censorship by threat of violence is an extremely dangerous precedent under the Constitution."

But even if there is no constitutional protection for the players — and we still believe there may not be — there remains an equally important issue. Specifically, the established authority of Albany had said the Springboks have a right to play here, and that right was undermined and withdrawn because of the threat of violence.

Cancelling the game because of a threat of violence, of course, is precisely what Mr. Carey has done. By so doing, he has put a loaded gun in the hands of any group that may wish to challenge any legitimate decision of government.

Public officials cannot be allowed to pick and choose which political demonstrations they will allow and which they will ban. This was the practice in America's South for many years, the practice that often made it impossible for black civil rights marchers to get a permit to parade.

Now Mr. Carey has established this same precedent in New York, probably incited to do so — at least in part — by what he thought were the sirens of public opinion and by the attractions of a stronger showing in the polls. We will live to regret it. That decision will prove to be far more important and will have greater unfortunate consequences than the rugby game ever could have had.

No one can take his stand unopposed to apartheid, an institution that denies man's inherent dignity. We all oppose it. But in our efforts to bring about that institution's demise, we must be careful that we do not trample important procedural and substantive rights in our own community.

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## Supporters plan appeal

- The rugby cure. See Ralph Martin column, Page 4-A
- Chronology of a controversy. Page 4-A
- Carey action may take the heat off Corning. Page 4-a

By SUSAN SCHULMAN

Knickerbocker News Reporter

The South African rugby team and organizers of its controversial U.S. tour are considering canceling the tour in the face of mounting opposition, a Chicago newspaper reported today.

Team officials and the tour sponsors met in Chicago Thursday night, shortly after they received word a Springboks match scheduled for next Tuesday in Albany's Bleecker Stadium was off.

The players, in Chicago for a scheduled Saturday match, have been told to "pack their bags and be ready to leave Chicago at a moment's notice," the Chicago *Sun-Times* reported in today's editions.

The tour has been opposed in every city in which it hoped to play. Last month, New York Mayor Edward Koch heeded police warnings of violence and withdrew permission for the team to use Downing Stadium.

Although the game at Bleecker Stadium is off, the controversy over the proposed Albany match brews on.

Whether the decision was made by Gov. Hugh Carey or Albany Mayor Erastus Corning II, the South African Springboks have been banned from playing Tuesday at Bleecker Stadium — and the decision has sparked immediate and sometimes sharp responses



Thomas Selfridge  
...court action expected

from those for and against the game. Supporters of the Springboks' right to play in Albany were expected to appear in federal court today to ask that the game be permitted at Bleecker Stadium as scheduled.

The action will be filed by the Eastern Rugby Union (ERU), with the New York Civil Liberties Union filing a friend of the court brief, Sarah Birn, the NYCLU's associate legislative director, said Thursday night. Ms. Birn said the legal action will name Carey and Corning as defendants.

"You cannot make use of city facilities based on a political litmus test, and the rugby game has clearly become a controversial political issue," she said.

The ERU's leader said the game still would be played Tuesday at an alternate site if necessary.

A group of rugby players, most with

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