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Frank Barbaro: From the Brooklyn Docks to the State Supreme Court

Recalling Frank Barbaro's Radical Life

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The former labor organizer, legislator, and judge, Francesco Joseph Barbaro died at age 88. He was born in Brooklyn, to immigrant parents from Sicily and Calabria. Barbaro was the last link to the tradition of working-class radicalism exemplified by his hero, Vito Marcantonio. He was representing the very conservative Bensonhurst and one day he asked "what do people in the district think of me?" The reply: 'Frank, they think you got crazy ideas but they like you because you're there when they need you.'



Frank Barbaro outside Cooper Union's Great Hall (Foto from bicyclist.blogspot.com)

By **George De Stefano** - 15 settembre 2016

Frank Barbaro, a working-class champion whose long life spanned the Brooklyn docks, the New York State Assembly, and the State Supreme Court, died September 4, from congestive

heart failure at age 88, at his home in upstate New York. Barbaro was the last link to the tradition of working-class radicalism exemplified by his hero, **Vito Marcantonio**, the US Congressman from East Harlem.

Francesco Joseph Barbaro was born in Brooklyn in 1927, to immigrant parents from Sicily and Calabria. At six-foot-four, he was a physically imposing man, and his size no doubt was an asset during his years as a longshoreman on the mob-infested Brooklyn docks. But what was really outsized was his lifelong commitment to fighting on behalf of working people, tenants, and the poor, as well as for women's and gay rights.

"Frank loved working people and worked very hard for justice," his wife Patty told the **Times Union**. "He never forgot where he came from and his work for justice extended from the state legislature to the international solidarity movement."

I interviewed Frank Barbaro in 2007, for a paper I was writing for a conference of the American Italian Historical Association (now the Italian American Studies Association, IASA. The paper was published in ***Italian Passages: Making and Thinking History***.) I was eager to write about him because to me he was emblematic of a milieu that the late historian Philip Cannistraro called "the lost world of Italian American radicalism." His radicalism, however, was not sui generis; rather, it was rooted in an Italian American tradition whose exemplary figures include Vito Marcantonio, Carlo Tresca, Peter Panto, Angela Bambace, Arturo Giovannitti, Carl Marzani, and many others, both those whom history remembers and those whose stories — like my own radical Sicilian grandfather's — have been obscured or forgotten.

Barbaro and I met in April 2007, in a Brooklyn diner popular with defense attorneys and prosecutors. Barbaro, then 80, had driven from his home in Watervliet, in upstate New York, to represent in court several anti-Iraq war protestors who had been arrested for criminal trespassing for staging a sit-in in the district office of US Representative Vito Fossella, a conservative Republican who supported the war. But on the morning the case was to go to court, Fossella dropped all charges against the defendants.

"What I think happened was that the Republicans and Fossella sat down and said we don't need this headache. So they dismissed the entire case," Barbaro told me.

In our conversations, Barbaro recalled milestones from his radical life, beginning with his childhood in what is now the Carroll Gardens section of Brooklyn.

He told me that his parents, with their belief in justice, ethical behavior, and hatred of oppressive authority, had been his earliest influences. His parents also believed strongly in education and wanted him to go to college. In 1952, after a stint in the Navy, he earned a Bachelor of Arts degree in psychology at New York University.

Barbaro's activism on behalf of tenants began when he was a young member of the Communist Party-affiliated Labor Youth League (LYL). Tenant advocates organized to end racial discrimination at Stuyvesant Town, then owned by the Met Life insurance company, which maintained a whites-only policy at the Manhattan housing complex. This experience drove home to Barbaro the brutality of American racism and made him a lifelong foe of racial injustice.

In 1953, at the behest of the LYL, he became a longshoreman. Married and with two children, he hoped to use the job to finance a master's degree in psychiatric social work. But instead he spent 15 years on the docks, an experience that he said served as "the foundry of my ideology."



Working with longshoremen – who at the time mainly were Italian Americans — inspired in him “a love for and a respect for working people, an admiration for them. The oppression they experienced was terrible. I developed a hate, a burning hatred for the ruling class.” Barbaro was appalled by the dangerous working conditions longshoremen endured, and by the oppression they suffered under mob-affiliated union bosses. As labor historian William Mello has observed, “longshoremen were at the lowest level of the American working class.” Barbaro worked to organize the longshoremen, establishing a pier committee that presented demands to management. He even faced down “wise guys” who threatened him.

“We were having a meeting and the shop steward comes over and says, ‘It’s not nice what you’re doing,’” he recalled. “That was a veiled threat. His father-in-law was one of these wise guys. What I immediately thought was I have to show these workers not to be afraid. I said, ‘Go fuck yourself. Whaddya gonna do, kill me?’ He didn’t know what to say. That put him in his

place. I ended up with my tires slashed and the windshield broken on my car. But that's the way it was on the Brooklyn docks."

Barbaro believed that the story of the docks had never been accurately told. He reserved particular distaste for the film, "On the Waterfront," which he claimed had reduced a labor struggle waged by a movement to a confrontation between a punch-drunk ex-boxer and a mobster union boss. "The movie totally eliminated the class character of the struggle and the courageousness of the workers. It became one man's fight against a gangster, not a system," Barbaro said.

By 1962, Barbaro felt that conditions had sufficiently improved on the docks for him to pursue his dream of becoming an attorney. He enrolled in evening classes at the Brooklyn Law School and in 1966 graduated as president of his class. In 1968, as the Vietnam War raged, Barbaro ran unsuccessfully for the New York State Assembly as a peace candidate. On his second try, in 1972, he won.

"I went into the legislature as an activist," Barbaro said. "We developed a real issue-based coalition. Remember, I was representing Bensonhurst, which was very conservative. I was against the death penalty, against the Vietnam War, I was for gay rights, and I was pro-choice. One day I said to a guy from my district, 'Larry, tell me the truth — what do people in the district think of me?' He said, 'Frank, they think you got crazy ideas but they like you because you're there when they need you.'"

Barbaro became chairman of the Assembly's Labor Committee. "We passed more pro-labor legislation than under any chair of the Labor Committee in the history of the Assembly," he stated with obvious pride. "Legislation to protect whistleblowers, on health and safety, asbestos, workers' compensation." His satisfaction with the Labor Committee chairmanship notwithstanding, Barbaro in 1981 decided to challenge Mayor Ed Koch in that year's Democratic primary. Two of the city's most prominent liberals, labor attorney and mediator Theodore Kheel and journalist Jack Newfield, urged him to run against Koch, a reformer from Greenwich Village who had turned to the right. Barbaro knew he couldn't defeat Koch, but he believed he could "raise issues that would never have been raised if I hadn't run."

"I ran on a pro-labor, anti-racist platform," he said. "I raised issues like stopping gentrification, and opposing tax abatements for luxury developers, which Koch favored. I advocated building low-cost housing for working people."

Koch won the primary and the general election, with Barbaro coming in a distant second. But Barbaro had no regrets about taking on Koch, whom he claimed had become an “arch-reactionary.”

Barbaro faced an even greater challenge than Ed Koch in 1989, when a young African American man, Yusuf Hawkins, was killed in Bensonhurst. A group of mostly young Italian American men, some of them wielding baseball bats, confronted Hawkins and his three black friends. One of the men shot Hawkins in the chest, killing him. The murder roiled the entire city. When black protestors, led by the Reverend Al Sharpton, marched through Bensonhurst, they were greeted by neighborhood residents shouting, “Niggers go home” and “Long Live South Africa.” These scenes, reported by media worldwide, helped foster an image of Bensonhurst as an enclave of virulent, violent racism.

Barbaro worked to ensure that such ugly incidents would not occur during subsequent protest marches. He believed “it was important to educate the local people that the Hawkins killing was a lynching, and that the marchers had a right to march.”

By publicly calling the murder a lynching and insisting that African Americans had a right to protest in Bensonhurst, Barbaro played a positive role in the searing racial drama unleashed by the murder of Yusuf Hawkins. He and other community leaders, as well as some local clergymen, sought to calm tensions and promote racial reconciliation.

Barbaro objected when civil liberties advocate Norman Siegel called Bensonhurst a “hotbed” of racism. “I’m not saying there weren’t racists in Bensonhurst,” he told me. “I’m saying Bensonhurst is no different from any other neighborhood. Racism permeates our society.”

I found this unconvincing. Racism, rather than being a problem of a few watermelon waving bigots, was endemic in Bensonhurst. Anti-black sentiment was virulent and widespread, and it was manifested in concrete ways, including housing discrimination. Moreover, the murder of Yusuf Hawkins hardly was the only instance of Italian-on-black violence to occur in New York during the ’80s.

But if Barbaro could be faulted for downplaying the extent of racial bigotry in his district, his efforts after the murder of Yusuf Hawkins (as well as his prior history of opposing racism) distinguished him from other Italian American leaders who either were silent or disingenuously defensive.

Barbaro's tenure in the Assembly ended in 1996. After leaving the legislature, he was elected to the New York State Supreme Court, where he served six years. His time on the bench was somewhat anti-climactic after the Assembly, and certainly compared with his early years as an activist. He retired from the bench after six years, when he was seventy-five.

But one of his rulings continued to haunt him after he retired. In 2011, he took the extraordinary step of contacting the attorney of a man whom he had convicted of murder in 1999 to say his ruling had been wrong. Not only that – he admitted he'd been biased against the defendant, Donald Kagan, a white man charged with killing Wavell Wint, a black man, during a confrontation at an East New York movie theater. In 2015, after serving 15 years in state prison, Kagan was paroled after Barbaro and Shawndya Simpson, also a Supreme Court justice, wrote letters stating that Kagan never should have been convicted of murder in the second degree. Simpson went on to state that she believed Kagan should've been tried for criminally negligent homicide. Barbaro was anguished over his ruling and expressed remorse for it. Kagan — and Judge Simpson — both publicly expressed admiration for Barbaro for having admitted his mistake and working to correct it. "A lot of judges wouldn't do that," Simpson remarked.

Barbaro in retirement maintained his commitment to progressive causes. He supported the Occupy movement and was a Bernie Sanders delegate to the Democratic National Convention.

Frank Barbaro was an "ethnic" politician who never engaged in or pandered to ethnocentrism. His legislative career demonstrated that an elected official can serve – and maintain – his base while pursuing an expansive agenda. Contrast Barbaro's progressivism to the right-wing authoritarianism of a Rudy Giuliani. Barbaro's visceral identification with and commitment to working people, the poor, and the oppressed also distinguishes him from today's centrist and pro-Wall Street Democrats.

Italian American radicalism may now seem like a lost world. But the radical life of Frank Barbaro reminds progressives that it is one worth rediscovering and reinventing, for our own unhappy times.