

WHAT'S BEHIND NADER'S ATTACK ON GOLF?

The consumer's champion has attacked tax concessions aimed at encouraging country clubs to preserve open lands in heavily populated areas. Thus emerges a battle over ecology and discrimination which will affect golf clubs for years

By the Editors of GOLF Magazine

One of the most critical problems facing golf courses is the rising tax rates, based on reappraisals of the lands on which clubs stand. Clubs may accept and pay the increased rates, sell and move farther out into the countryside, or fight the issue. Clubs that choose to fight will no doubt base part of their plea for tax concessions on the argument that they provide valuable open space to the communities they serve. But clubs which use this argument had better be prepared to face the discrimination issue, which is going to be raised whenever the special property status of golf courses comes up. Re-

cently such a charge was made by a member of Ralph Nader's staff (see *GOLFDOM*, February, page 13). *GOLF Magazine* answered the charge, with which *GOLFDOM* concurs. But golf course officials should also prepare to answer similar charges by reading articles such as this one (reprinted in edited form) and "Golf: America's Vanishing Green Belt" (*GOLF*, October, 1970, p. 35), "The Vanishing Urban Course" (*GOLFDOM*, September, 1970, p. 30) and "Golf and Ecology" (*GOLFDOM*, March, p. 55).

The sport of golf—hitherto apolitical

and a recreational escape from society's troubles—is suddenly finding itself at the center of two of the hottest issues of our time: ecology and the discriminatory rights of private clubs.

Politicians finally are awakening to the fact that many of America's privately-owned golf clubs are sitting on a sizable chunk of the nation's most valuable open space—green belt in and around expanding cities and suburbs. They and the tax assessors are being made aware of the long range value of such green belt which government is too bankrupt to buy

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up as a natural resource, but which it may help to tax out of existence.

What to do? The obvious answers are protective zoning, easements and tax concessions aimed at encouraging country clubs not to sell off golf course land for concrete-covering commercial developments, housing and highways. Until now, however, politicians have been positively embarrassed to talk about golf. Congressmen are loath even to talk about their own country clubs. Traditional American populist sentiment is against favoring private interests with tax concessions; worst of all it would be favoring private clubs which may discriminate in membership against minority groups.

So there it is: a quandary. Is it a greater political danger to work for the preservation of open green space even if it means fiscal favoritism to private clubs? Or is it safer to bury the issue even at the risk of seeing golf clubs sell and move farther away to land bearing lower assessed values? What in fact is the intelligent use of land in our time? These are classical and serious questions for the 1970s. So what could be more appropriate than that the people's champion of the seventies, Ralph Nader, should now find himself entwined, if not torn, between two poles in the debate. Unfortunately, there are signs he is spreading his genuine reformist concern too thin, allowing one cause to trip over another. His recent attack on golf clubs is a case in point. A Harvard College student, Michael E. Kinsley, has put out a study for Nader which insinuates that Montgomery County, Md., one of the nation's richest, is a tax haven for clubs that have highly antisocial aims.

The report charges that a special tax law passed by the Maryland legislature in 1966 is allowing country clubs throughout the state, but primarily in Montgomery County, to pay taxes far below what they would be shelling out if they were not golf clubs. The state claims that clubs have been given these special tax breaks to keep them from leaving the area and selling their land to real estate developers who will cover it over with high density projects so popular in the rapidly-growing Washington, D.C., area—apartments, town houses and shopping centers. This is a point that the Kinsley report for Nader glosses over. Kinsley prefers to beam his criticism at Montgomery clubs because of their "exclusivity." He gives

virtually no consideration to the value of Maryland's tax laws for preserving suburban green belt, albeit golf courses. As a result, Kinsley ironically ignores Nader's long-standing support for projects aimed at protecting ecological balance.

The report asks how "black and Jewish residents of Montgomery County" must feel about paying taxes to subsidize large tracts of land for country clubs, especially the Chevy Chase Club. Thus the report for Nader seems deliberately to use club discrimination to make the point that low tax rates charged Montgomery County golf clubs—amounting to a yearly savings to the clubs of \$165,000, according to the report—should be eliminated. At best, this is a questionable point. Clubs are vulnerable on the matter of discrimination. But the Supreme Court has accorded them a place in our society.

Oddly, the report points out that Woodmont CC is getting the greatest tax break per member, \$45. Any golfer in the Washington area who knows the club scene will tell you that Woodmont is almost, if not totally, Jewish.

The Nader report also singles out Chevy Chase, an acknowledged haven for WASPS, to prove that the reduced taxes are offensive to minorities. Yet, as the Washington Evening Star editorialized: "The discrimination charge... is a separate question that seems to have little logical linkage to tax rates. The exclusiveness of those clubs is mainly economic."

If Woodmont or Chevy Chase or Columbia or most of the other clubs in the county were forced out of the suburbs by higher taxes on their property, and there are now rumors that a few clubs may be forced to leave despite the tax break, the already high density of the population would increase. At today's prices for land in the Washington area, few real estate people would disagree with the statement that these clubs would not be replaced by parks and recreational areas—not even by single family homes—but by major developments.

And what of the black, searching desperately for ways to escape from center city ghettos? Few black people live in Montgomery County now, unless they are fairly wealthy. They are not the ones bearing the brunt of subsidizing some of the most prestigious golf clubs in the country, played by Presidents, Congressmen, Supreme Court justices, statesmen, diplomats and fat-cat lobbyists. It is unlikely

(Continued on page 56)

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that forcing these clubs to find cheaper land would open the way for more blacks to enter the area. The astronomical prices for houses, condominium apartments and the like, rule out that possibility.

What it all boils down to is an attempt, and it seems a realistic one, by the Maryland legislature to preserve some open space for trees, grass and some wildlife.

Maryland's present Lieutenant Governor, Blair Lee III, is responsible for the tax law governing golf clubs. He is quite candid in admitting he sponsored the legislation because it would preserve green space in the suburbs. He said in response to the Nader report, his one and only job of lobbying from 1962 to 1966 when he was not in public office, was the green space bill.

Maryland's Governor Marvin Mandel answered the report's charges in a three-page letter pointing out that the report overstated the amount of money Montgomery County clubs save. Mandel, Maryland's first Jewish governor, advised Nader that he felt the report's use of words such as "racist" and "elitist" indicated to the governor that the report was more interested in the exclusive admission policies of Montgomery clubs than in tax equity.

Kinsley admits that preferential assessment of club land is not unique to Maryland. But he adds that Maryland was selected for criticism because the effect of its tax subsidy is "easy to determine because the Maryland law states that both the preferential assessment and the figure the property would be assessed at without the special law must be kept on the books."

So it seems that the Nader group chose Maryland because it was the most open in showing how it was treating club taxes—not because it was necessarily the most active in supporting "discriminatory" clubs.

The fact is that a Maryland club can only keep its preferential tax payment so long as it does not move from its existing location. If a Maryland club does move, it must pay the state the full taxes it would have paid going back 10 years prior to the year it moved. That is why both the tax the club is paying and what it would pay without a break are both listed, making it easy for zealous investigators to draw comparisons. The threat of having to pay back every cent of the tax break over such a long period, obviously, is a strong deterrent to

moving unless it's profitable.

Maryland has made a major effort toward retaining some balance in its suburban planning and has caught nothing but hell from the Nader report. If there is an ecological crisis in the areas surrounding American cities, and many experts think there is, the fact that some of the open land in the hands of clubs is not necessarily the worst of all possible worlds.

Much more needs to be done to protect these lands, and perhaps there are better ways. At least Maryland has made a stab at it. Congress has before it a piece of legislation called the National Land Use Policy Bill, presumably designed to cope with such problems. All it provides for is some Federal money and the threat of getting people to write guidelines for land use. "It's the kind of bill," says one congressional aide, "that everybody loves. It sounds great, won't cost much and will take years before anybody has to think about it again. Of course, it won't accomplish much either, except take the headache away from Congress."

Obviously, Congressmen have not got much of an idea of what this problem is all about. This is apparent from the comments GOLF received to the issues raised by the Nader report.

And what of the future? Comes this warning from Ian McHarg, landscape architect, urban planning expert and author of a very important book, "Design with Nature."

"Is this the countryside, the green belt—or rather the greed belt—where the farmer sells land rather than crops, where the developer takes the public resource of the city's hinterland and subdivides to create a profit and a public cost?"

This point should not be missed by Senator Edmund Muskie and his Inter-governmental Relations subcommittee who plan to hold a series of hearings later this year on property taxes across the United States. It should also not be missed by Nader and his growing band of aides in their search for a better society. Dragging blacks, Jews and other issues that enflame passions and dull reason into solving major problems of urban and suburban areas—and doing so without giving any evidence that sensitive minority views on the issue at stake were even sought—does the cause of racial harmony, better ecology and other goals of human betterment not the least bit of good. Mr. Nader, for once you're wrong! □