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VILLAGE VOICE, WEDNESDAY, SEPTEMBER 26, 2001

Out of the Ashes

Rudy Tries to Ride Rubble to Reelection

BY **WAYNE BARRETT**

WHAT WAS WIDELY VIEWED AS RUDY GIULIANI'S FINEST HOUR HAS BECOME HIS WORST. ¶ IT NOW APPEARS THAT, IN BETWEEN THE MAYOR'S PERIODIC ANNOUNCEMENTS OF THE DEATH TOLL, HE WAS BUSILY PLANNING HIS OWN RESURRECTION. HIS PARTY HIJACKED THE PRESIDENCY LAST DECEMBER, AS CLARENCE THOMAS'S EULOGY FOR BARBARA OLSON, THE WIFE OF THE MAN WHO ARGUED BUSH'S CASE BEFORE THE SUPREME



JENNIFER ALTMAN

GIULIANI HAD TO BE REMINDED BY VALLONE THAT THERE WAS AN ELECTION ON TUESDAY.

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Court, reminded us. Now it appears prepared to hijack the mayoralty if it can, aided by the Conservative Party, Democratic elements of the City Council, and an inventive interpretation of the term limits law. If this Giuliani campaign stalls, it will only be due to insurmountable legal obstacles, not any self-restraint or democratic civility on his part.

Michael Long, the ironfisted head of the state's Conservative Party, told the *Voice* that he is "willing to talk to Rudy" about giving him the party's ballot line in November, a line he never ran on in the past. Long has rebuffed prior Giuliani efforts to get his party's endorsement because the mayor has also sought the Liberal line. But Alan Hevesi already has that line and cannot legally give it up. As Long explained it, the only way a party can change candidates this late in an election year is by nominating their mayoral designee for a judgeship, and Hevesi "is not a lawyer."

The current Conservative designee, Terry Gray, is an attorney, and apparently willing to withdraw. Asked if Long expected Giuliani to seek a third term, Long said, "All signs are starting to look that way." Though it was his party that pushed the city's term-limits referendum through, Long said that "in times of war" he "would not be inflexible," suggesting that the City Council "would have to give consideration to changing the law."

In fact, Deputy Mayor Joe Lhota and others tried to round up council votes to overturn term limits on Wednesday and Thursday, right before the Friday special session. The *New York Post* ran an editorial urging repeal for all city offices, including the council, on page 52 Friday morning—a clear message from the mayor. Councilmembers who'd supported the repeal attempt early this year were called—with one, Queens Councilwoman Juanita Watkins, offered a city sheriff's car by Lhota's office to take her to the session.

East Harlem councilman Bill Perkins told the *Voice* that "someone on the mayor's staff" called him to ask if he'd support a repeal bill, and he said he wouldn't. Three other members, Herb Berman, Walter McCaffrey, and John Sabini, told the *Voice* they'd "heard about it" or had been contacted, but declined to get more specific. McCaffrey, who is wired into the council leadership, said that by Friday afternoon, the push to do it "had lost its momentum."

Stan Michels, the respected Washington Heights councilman who'd spearheaded a repeal drive earlier this year, was also contacted, but says he would not support a bill now because he questioned "the constitutionality of the timing," as did Perkins, Margarita Lopez, and others who once backed repeal. Council Speaker Peter Vallone, who marshaled the votes to kill Michels's bill in March, told reporters at a late-Monday press conference that he'd "always opposed" the repeal and still did so. Since it will clearly be impossible to eliminate term limits for councilmembers after Tuesday's primary, it's extremely unlikely that an overwhelmingly Democratic council would vote to repeal them just for Giuliani at that point.

That's why Giuliani forces are said to be studying an end run around term limits, which are part of the city charter and restrict the mayor to serving two "consecutive, full terms." The strategy is for the mayor to resign before his term is up this year, thus making himself eligible for another term. (And Mark Green, mayor for two months.) The question is whether he will have to resign before the election on November 6, because state laws seem to require that a candidate for public office be eligible to serve the day he is elected.

How such a gimmick will affect voters may be giving the mayor pause, uncertain that even with his enormous surge in popularity, he can pull it off. George Herbert Bush's 90 percent popularity ratings after the Gulf War evaporated within months. That may explain Giuliani's Monday equivocation—when his deputies inaccurately predicted in the *Times* and *Daily News* that he would announce later that day that he was seeking another term.

» The international praise for Giuliani has revolved around his calming press conference performances; no one points to any action he's taken or decision he's made. But his Monday performance—the day before critical primaries that should determine the future of the city he says he loves—was an exercise in megalomania. After recounting the heroism of a dead fireman whose funeral he was heading to and telling the families of the missing how they could get death certificates,

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