

Ralph S. Abascal, 62, Dies; Leading Lawyer for the Poor

By TIM GOLDEN
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Ralph S. Abascal, a pioneering legal-services lawyer in California who won landmark decisions on behalf of farm workers, welfare recipients and undocumented immigrants, died on Monday at his home in Berkeley. He was 62 and had been suffering from cancer.

Mr. Abascal, a ruffled, soft-spoken man whose manner sometimes belied a disciplined legal mind, was for more than 20 years the general counsel and guiding spirit of California Rural Legal Assistance, one of the largest of the 280-odd programs endowed by the Federally financed Legal Services Corporation.

He was among the first and most vigorous combatants in environmental law, winning cases that forced an end to the agricultural use of DDT and other pesticides. He also fought successfully to block state efforts to cut welfare benefits in the 1970's, becoming a particular nemesis of the administration of Gov. Ronald Reagan. Soon after becoming President in 1981, Mr. Reagan tried to halt all Federal financing for the legal services program.

To Mr. Abascal's conservative critics in the California capital and in Washington, he epitomized what was wrong with the legal services organization: He viewed himself more as a civil rights activist than a social worker. He worked closely with liberal politicians. And he offered no apology for his focus on sweeping class actions that sought to change the lives of thousands of people, some of whom were only dimly aware of what he was doing.

Mr. Abascal also inspired a generation of young law-school graduates, many of whom forsook the promise of more lucrative careers so they could serve poor clients in farm towns in the Central Valley of California.

"He was the quintessential public-interest lawyer," said Al Meyerhoff, a senior attorney for the Natural Resources Defense Council who frequently worked with Mr. Abascal. "If you look at how the Legal Services Corporation has been under siege for all these years, it has been because of lawyers like Ralph Abascal."

The grandson of a stonemason from the Spanish seaport of Santander, Mr. Abascal said he had inherited some of his liberalism from his father, Manuel, who lost three brothers in the Republican cause in the Spanish Civil War. As a young man, Manuel Abascal traveled to Cuba, helped build a railroad in northwestern Mexico and then walked across the border to San Diego. He settled in San Francisco, where his son Ralph Santiago was born on May 31, 1934.

Mr. Abascal, whose mother came from a family of immigrant fruit-pickers, did not start learning English until he was almost 5. He once said he had spent much of his youth haunting pool halls, but he became serious enough about his studies to earn a master's degree in business and pursue a doctorate in economics at the University of California at Berkeley.

Then, he recalled in an interview last year, he saw the 1960 film "Inherit the Wind," which depicted the debate over evolutionary theory waged by Clarence Darrow and William Jennings Bryan in the 1925 Scopes trial. That helped shift the focus of Mr. Abascal's studies, first toward the Progressive Era in American history, then to the law. He quit economics for the Hastings College of Law at the University of California, graduating in 1968.

Mr. Abascal went to work immediately as a staff lawyer for California Rural Legal Assistance, one of the many legal-services programs born of the War on Poverty. He started out in Salinas, quickly joining forces with the leaders of California's nascent farm workers' union, Cesar Chavez and Dolores Huerta.

Their collaboration resulted in several groundbreaking cases. One led to a ban on the use of the short-handled hoe, a symbol of harshness in the lettuce fields that allowed foremen to assume that their laborers were slacking off if they were not hunched over. In another, more contentious case, 19 farm workers represented by Mr. Abascal challenged the

right of the University of California to conduct publicly financed research intended to develop labor-saving farm machinery.

Branded by his adversaries as a Luddite, Mr. Abascal responded that Congress had never meant to save money for big agribusiness enterprises. Rather, he said, it had intended to support "the little person, the person most in need." Mr. Abascal's defense of that constituency led him into frequent battles with California's biggest farmers. A suit filed in 1969 on behalf of six nursing mothers who were working in the fields eventually led to the banning of DDT. Two decades later, two other cases in the Federal courts led to limits on dozens of pesticides thought to cause cancer.

In 1970, Mr. Abascal moved to the San Francisco Neighborhood Legal Assistance Foundation, where he filed dozens of lawsuits on behalf of welfare recipients whose benefits were threatened by Governor Reagan's early efforts to cut the welfare rolls.

Years later, he described those efforts to fight poverty by preserving entitlements as fundamentally misguided. "We should have been strong advocates of getting people into work," he said after President Clinton signed the welfare legislation last year. "Had we done that then, we would not have had this welfare bill now."

Mr. Abascal served on the boards of many legal and public-interest organizations and received many awards for his work, including the American Bar Association's Thurgood Marshall Award in 1995 and the Kutak-Dodds Prize of the National Legal Aid and Defender Association and the Robert Kutak Foundation.

The latter prize came with a \$10,000 check, which Mr. Abascal put toward a small Chrysler convertible. Mr. Abascal, who once shared a single pair of wingtip "court" shoes with another lawyer whose feet were roughly the same size, had to stop himself in the interview from apologizing for the luxury.

Mr. Abascal is survived by his wife, Beatrice A. Moulton, a law professor at Hastings; their daughter, Pilar C., of Berkeley; two brothers, Manuel, of Santa Fe, N.M., and Richard, of Fremont, Calif., and a sister, Mary Jo, of San Diego.