the weekly Standard

JULY 6 / JULY 13, 1998 • $3.50

THE MEDIA'S FAVORITE SERIAL KILLER
WESLEY J. SMITH

THE MEDIA'S FAVORITE REPUBLICAN

John McCain runs for president

by Andrew Ferguson

This is a combined issue. The next* WEEKLY STANDARD *will appear in two weeks.

the weekly Standard

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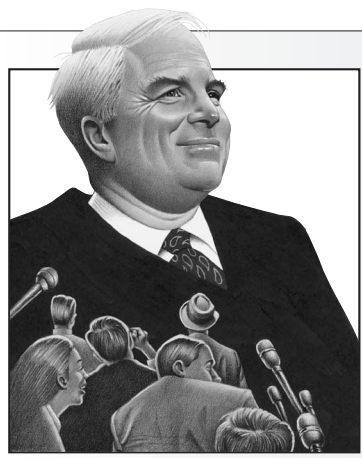

Cover by Bill Nelson

Books & Arts

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CNN's Operation Cover-Your-Tail

CNN and *Time*'s bogus scoop—in which April Oliver and Peter Arnett claimed that a 1970 U.S. military raid in Laos, Operation Tailwind, involved a deadly nerve-gas attack on civilians—continues to unravel. As Eric Felten reported in these pages last week, CNN's key eyewitness, Robert Van Buskirk, recovered his memory of the nerve gas under the expert questioning of CNN, while his 1983 memoir told only of the use of tear gas. Moreover, CNN ignored expert scientific testimony it had gathered confirming that soldiers' accounts of Operation Tailwind accurately described the symptoms produced by tear gas, but were utterly inconsistent with any use of nerve gas.

Meanwhile, Rowan Scarborough of the *Washington Times* reported on Friday that another of CNN's on-camera sources for the story, retired sergeant James Cathey, was not a participant in Operation Tailwind as claimed but instead was serving as an air-traffic-control supervisor in South Vietnam at the time of the operation. Cathey, as it happens, is a friend of Van Buskirk's. Van Buskirk told Felten that the two men didn't meet until years after the war, at a prison where Van Buskirk was ministering and giving a talk on his army experience. Cathey is also a Baptist minister in North Carolina.

There have been no apologies yet from Ted Turner's media empire for its irresponsible smear. At this writing, *Time* has published only an acknowledgment that doubts were raised about the story and has promised to "keep reporting this story." CNN, for its part, has taken the curious step of hiring famed First Amendment lawyer Floyd Abrams to conduct an investigation of its story—curious because no one has suggested suing CNN, which is the usual reason for hiring a lawyer.

On the other hand, in view of the embarrassing "scoop" that has transformed the debut of *NewsStand: CNN & Time* from journalistic triumph into corporate calamity, The Scrapbook can well understand why CNN executives might lack confidence in the investigative skills of their own employees.

Ginsburgiana

Old soldiers fade away, but Monica Lewinsky's old lawyer is just getting nuttier. The latest William H. Ginsburg foray into the realm of the bizarre is a letter in the June 24 *Los Angeles Times*. The context is unimportant since the letter doesn't make any sense. But here is *echt* Ginsburg: "Let's all grow up and get real. . . . Like a skunk, [Starr] is rearing up and proving resoundingly that he is not the spiritual leader of what he calls 'the Temple of Truth.' He doesn't even deserve admission to that sacred shrine!" Don't you just hate it when skunks rear up and prove they are not spiritual leaders?

Let Them Eat Salsa

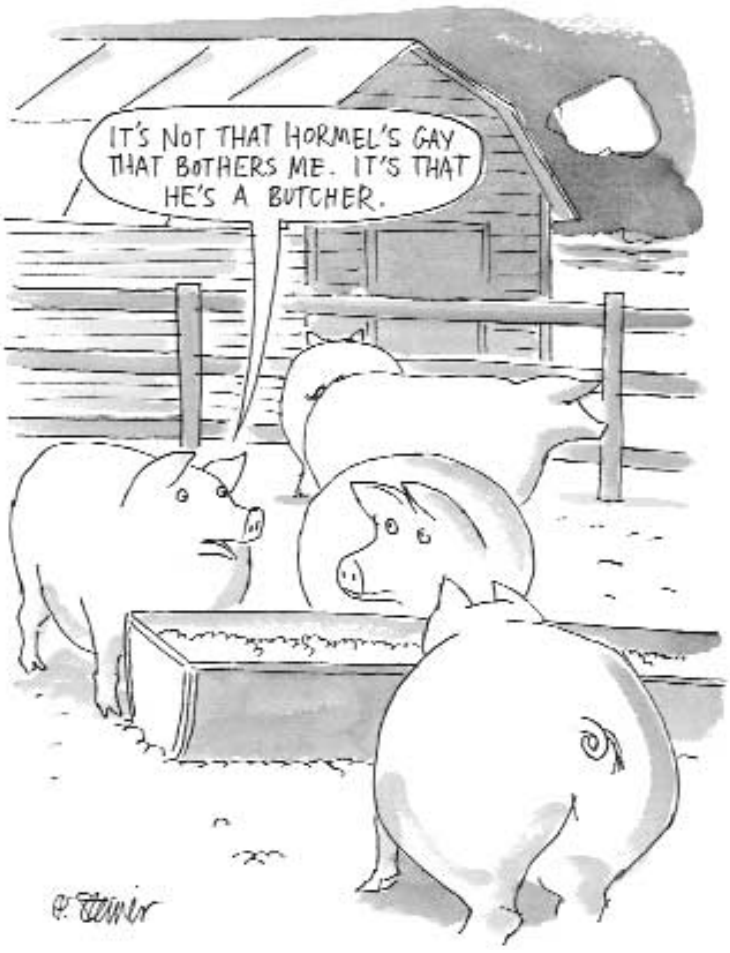
Those with long memories will recall the uproar that followed the Reagan administration's 1981 attempt to declare ketchup a vegetable for purposes of the federal school-lunch program. Indeed, Democrats still joke about it. When House Republicans proposed modifying the lunch program in 1995, House Democratic leader Richard Gephardt declared, "We're back to counting ketchup as a vegetable. This is the end of civilization as we know it."

So The Scrapbook was amused to read last week in a Senate budget document that the Clinton administration has approved salsa—yes, salsa—as a vegetable for the school-lunch program. The Agriculture Department notes that salsa, which will serve as a substitute for vegetables like spinach and peas, can be counted only if at least one-eighth of a cup is included with each lunch. And no, you don't get any chips with that salsa. Could this be an Al Gore strategy to woo Hispanic voters? Or maybe they're just bringing back ketchup in multicultural disguise.

The New Europe

The Millennium Dome that Britain is constructing to celebrate the year 2000 is intended as a big World's-Fair-type space, dripping with uplifting sentimentality. The central feature, as David Brooks reported in April, was to be a huge statue of a person sitting in the middle of the dome, through which 3,500 visitors could walk each hour, learning about human anatomy. But the designers couldn't figure out whether the statue should depict a man or a woman. Well, the philosophy of prime minister Tony Blair is that you should try to please everyone, so the Brits have designed a statue that would be a Siamese twin, half man, half woman. According to the *Times* of London, the creature will have only one pair of legs and no pubic features, but it will have two torsos. One torso will be muscular and male and the other torso

Scrapbook



will have enormous breasts (in proportion to her 300-foot height) and be female. The initial plans called for a 75-foot baby that would crawl toward the hermaphrodite, but the baby has been scrapped, no doubt scared off by the genetic mutation that would be its parent.

Mrs. Turner Strikes Again

Just when The Scrapbook vows never again to bait Jane Fonda, she has to go and give another speech. At the National Press Club last week, she denounced "abstinence-only" programs (efforts to encourage teenagers to refrain altogether from sex). Asked why conservative Christians disagree with her, she said, "They don't care about children that don't look like them. They don't care about children that are not white, middle-class Christians. As far as they're concerned, others can be eliminated." Eliminated? Last time we looked, it was conservative Christians, not Fonda, picketing the nation's abortion clinics.

Now, pointing out that Jane Fonda is a noxious dimbulb is like pointing out that Albany is the capital of New York. Still, Fonda is taken semi-seriously in public life. The other month she decried child "starvation" in northern Georgia before the United Nations. And she meant the American state where hubby Ted Turner's CNN is headquartered, not the former Soviet republic.

Last week's performance, though, was outstanding in its vileness. Conservative Christians have long been in the forefront of, for example, Third World charity. Why does Fonda think—just to cite one example—the late Mother Teresa went to Calcutta? To work on her tan? The claim that Christians seek to "eliminate" dark-skinned children verges on what, in other circles, is known as blood libel.

For those who are tracking the moral climate in the nation's capital, the National Press Club that welcomed Fonda's hate speech is indeed the very same club that worked itself into a hissy fit over the bona fides of Internet gossip Matt Drudge only a couple of weeks before.

Education Guaranteed

While all charter schools make academic promises, the Academy of the Pacific Rim, a Boston charter, may be the first to put a guarantee in writing. The "Learning Guarantee" instituted by the school this spring says that students who have attended the school for four years *will* pass a statewide assessment test given in the 10th grade. The school's director, Stacey Boyd, points out that there are guarantees for "mufflers, power tools, automobiles, airline services, and dozens of other products and services in America. Yet no service, save perhaps health care, matters as much to a person's livelihood as the education they receive."

Located in Boston's Hyde Park, the academy "combines the respect for education and discipline found in the East with the emphasis on individuality and diversity found in the West." The guarantee requires that parents sign a weekly progress report and that students attend tutoring sessions if they are falling behind. If these conditions are met and a student fails the test, he is free to attend any other school of his choice. The Academy will then transfer the state's per-pupil expenditure to any public school or pay the same amount to any private school.

It's another good idea the teachers unions will no doubt want to kill.

Casual

Disney Whirled

My family and I just got back from Disney World, and we had so much fun I was never once tempted to commit cultural commentary. But the guidebook I read beforehand was so odd I can't help it. There are over 2.5 million copies of *The Unofficial Guide to Walt Disney World* in print (published by MacMillan). Its central message is that going to Orlando is a bit like going to Bataan for the Death March.

For example, the book quotes a mother visiting from Dayton, Ohio, with her 5-year-old: "The first day we went to [the Magic Kingdom] and it was packed. By 11 in the morning we had walked so far and stood in so many lines that we were all exhausted. Kristy cried about going on anything that looked or even sounded scary and was frightened by all the Disney characters (they are so big) except Minnie and Snow White."

The woman goes on to report that she and her family couldn't get lunch because the restaurants were all full. They grew hot and tired. "Kristy insisted on being carried and we had 50 fights about not going on rides where the lines were too long. At the end, we were so P.O.'d and uncomfortable that we weren't having any fun." The author of the guidebook, Bob Sehlinger, then adds, "Before you stiffen in denial, let me assure you that the Ohio's family's experience is fairly typical" for people with kids.

What's more, even if you can endure the long waits for rides, the book suggests, your misery may be just beginning. Sehlinger prints several accounts of the Magic Kingdom ride called Alien Encounter. One has a kid vomiting out of fear. Another has kids sobbing uncontrollably.

To help his readers bypass or survive these and other horrors, Sehlinger has packed his 742-page tome with strategies and advice. He is particularly exercised by crowds. Sehlinger approaches lines with the sort of grim obsessiveness that Captain Ahab brought to his confrontation with the big white whale.

Sehlinger suggests that you first get inside the mind of the crowd. Then you must estimate line speed. This requires an assessment of each attraction's "per-ride capacity." You must also discover which attractions are "interval loaders" (like Space Mountain) and which are "continuous loaders" (like the Haunted House). You must break down the "cycle time" of each ride into "ride time" and "load time."

Another rule to remember is, arrive early. On big days, the book suggests arriving at the park an hour and 20 minutes before opening. That's usually 7:40 A.M., which means getting the kids up for breakfast just after 6.

Finally, follow Sehlinger's itineraries. He and his team of researchers have conducted rigorous scientific experiments to maximize your attraction-per-hour productivity, and if you follow the recommended routes, he says, you will be up to 40 percent more efficient than if you just walked around the park following your whims.

Here's a sample of a Magic Kingdom touring plan:

> Proceed through the turnstiles and have one person go to City Hall for a guidemap. . . . Regroup and move quickly down Main Street to the central hub. . . . When the rope barrier is dropped at opening time, jog through The Plaza Pavilion and on to Alien Encounter. Starting at The Plaza Pavilion entrance will give you a 50 yard advantage over anyone coming from the central hub. Experience Alien Encounter. . . . Exit Alien Encounter, turn left and hurry to Space Mountain. Ride. Leave Tomorrowland via the central hub and enter Liberty Square. . . . Exit Pirates [of the Caribbean] to the left and proceed to the Frontierland railroad station. Ride the train to Mickey's Toontown Fair. Quickly tour the Fair, exiting via walkway to Tomorrowland.

Early in the book there is a letter from a woman who ended up in a hospital emergency room because she tried to follow Sehlinger's touring plans. She began to shake and quiver. She was suffering from "excessive itinerary" and had to be sedated.

I'm sure most readers have the same response I did to Sehlinger's book: It's crazy. Unfortunately, I can't totally dismiss it, because in my family I'm the one who wants to cram as much as possible into vacation days (my wife has this odd taste for relaxation).

So it was in my interest to glean any wisdom I could from the *Unofficial Guide*. I quickly found you can boil it down into three points.

First, take the kids out of school and go to Disney World off season. There are few lines, so most of the detailed advice becomes extraneous. Second, go early in the morning and then again in the evening, and spend the hot middle of the day swimming at your hotel. Third, don't bother trying to visit the new Animal Kingdom, because you can't see any animals there.

I've just saved you 741 pages.

David Brooks

Correspondence

The Price is Life

Whatever my other faults, it is inaccurate to call me—as Wesley J. Smith did in his review of my book, *False Hopes* ("Sick Transit," June 22)—a utilitarian, a moral theory I find offensive. More accurately, I should be grouped with those who believe in cost-effectiveness, on the one hand, and that on occasion some values are higher and more important than the preservation of life, on the other.

To think in cost-effective terms is to ask if there is a better, more productive way to spend money to foster health. I argue for a public-health, health-promotion approach—not relying, as Smith says, on "collectivism," but on individual responsibility for health. Since rationing is inevitable in any and all health-care systems, we will get better health for less money that way.

As for the preservation of life at all costs, Smith should also condemn those who want speed limits raised, knowing this will statistically increase the chance of traffic deaths, as well as legislators who vote for increased educational spending rather than health-care spending (also certain to cost a few lives). It is absurd to group such people, including me, among those who "deny equal human worth."

I want everyone to have an equally good chance at good health, though not all of us will be certain of getting it. It is precisely my belief in "equal human worth" that leads me to think as I do about health care.

Daniel Callahan
Garrison, NY

Fumigating the Right

David Brooks's "Rich Republicans" (June 22) was interesting. However, in reality, moderate Republicans are not just in Winnetka. They are living in various burbs and cities throughout the country. Some of them would call themselves rich; others, perhaps upper middle class. As Brooks points out, more and more of our society is working its way up the income ladder, so this type of Republican is increasing in number.

These people are living conservative lifestyles and conform to the original principles of the party: That government is best which governs least. They cannot fathom why the government would interfere with a woman's right to make personal decisions like child-bearing. They do not want to tar gays as sinners, since nearly every family includes at least one. They believe personal taste and matters of lifestyle are not government's business. And they deplore having the government meddle in much at all—unless it is necessary to assist those less fortunate in ways that are also beneficial to society.

Take Medicaid-funded abortion, for example. Their view is: Why force women to have children they don't want and can't care for? The subtext, however, is this: It's less expensive to assist in prevention than it is to support a family on the welfare rolls. The moderate Republican is not necessarily driven by emotion, but by practicality.

As for activism among these Republicans, they are getting frustrated with, and often embarrassed by, the Right. Moderates are becoming more energized to have a voice in their party. They view the Republican party as a house that's been taken over by termites. As presidential elections are lost, moderates view the foundation of the house as crumbling. The real question is, Does the party understand the extent of the structural damage, and is it willing to have a big enough tent for moderates? Winnetka and the rest of the growing moderate wing of the party await the answer.

Lynn S. Grefe
New York, NY

Red and Dead

Regarding Robert D. Novak's "I.F. Stone: Red and Dead" (June 22): I hadn't thought of I.F. Stone in years, but now I remember how I subscribed to his newsletter while I was in college.

The fact that Stone was a paid Soviet agent still smarts and is saddening. What I liked about his newsletter was his ability to analyze our politicians' posturings, revealing their contradictions and hypocrisies,

and exposing their hidden, often money-grubbing motives.

Now, it turns out that Stone knew of what he wrote. He did what he did not out of idealism, but for the money—just like the politicians he loved to expose. And he did this while masquerading as a quixotic, lone investigative reporter uncovering the truth the bureaucrats were hiding from us.

Thank you for uncovering the truth about I.F. Stone, even though he is not around to appreciate the irony.

PETER ZACHARIAS
WILSONVILLE, OR

Tied Up over Microsoft

Irwin M. Stelzer fails to include in his analysis an extremely important point about illegal tying arrangements ("Microsoft's Formidable Foe," June 15). Typically, tying arrangements involve vendors' using their market power in one market to make the availability of their product conditional on purchasing a second product that the vendee does not want, or does not want at the price being dictated by the vendor. Microsoft is giving a product away in an effort to build its market share in a different market.

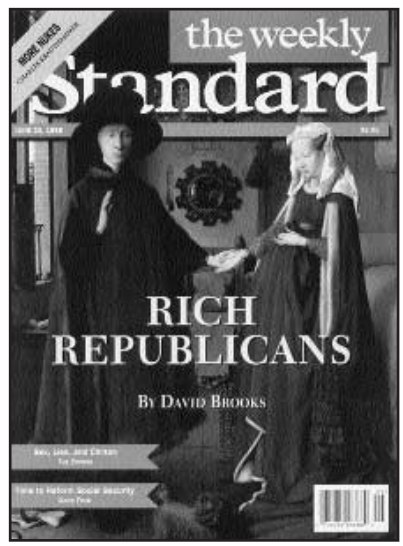
Microsoft sells operating systems (OS) to computer manufacturers and consumers. It also designs and sells software programs. While there are too many software providers to inventory, Microsoft dominates the operating-systems market.

To make its OS products more attractive to vendees and to build market share in the software business, Microsoft provides its software programs either for free or at very competitive prices. Companies like Netscape, lacking the advantage of selling the most popular operating system in the world, cry foul because Microsoft's marketing strategy seems to be working and poses a real threat to their future position in the marketplace. So what does Netscape do? It turns to government to protect its franchise.

As I understand it, the government does not complain that Microsoft uses its market power to extract monopoly profits from unwilling vendees by forcing vendees to purchase an unwanted product. The government assumes it can see into the software future and wants to control that future before it is too late for Microsoft's competitors. But the government's track record on this score is hardly encouraging.

DANIEL JOY
SARASOTA, FL

Irwin M. Stelzer may be an expert on antitrust law, but he evidently knows little about computers. The beauty of Windows '98 is its seamlessness; the user will spend less time launching applications and more time working. It will make no difference if



a document or other data are stored on a local drive, on a server, or half a world away on the Internet—the computer will fetch it just the same. This type of operation is not obtained by bolting various parts together at the end of the line, but by integrating the components at the basic level of the operating system. The components are not like paper and copier, as Stelzer puts it, but are like the fingers of a glove. Can Microsoft dominate any market it chooses? Evidently not. Witness Microsoft Network, a distant also-ran to America Online.

If Microsoft abuses its extraordinary position in the personal computer industry, then let the government sue it. Until then, keep the federal fingers off my keyboard.

RICHARD L. LOBB
FALLS CHURCH, VA

Shrinking Lacrosse

Thanks to Fred Barnes for his appreciation of the wonderful game of lacrosse ("The Grand New Game," June 8).

However, his claim that Title IX helps lacrosse by inspiring schools to add girls teams is suspect. This may be true for high schools, but at the college level Title IX is shrinking men's lacrosse.

If the equality police are harassing a school's athletic program, lacrosse is an easy target: It has large rosters (35 players on a men's college squad) but generates little revenue at most schools. Men's programs at the University of New Hampshire, Boston College, and Michigan State (an NCAA playoff regular) have been killed in the last two years, the better to comply with Title IX. Many other programs are under intense pressure.

PATRICK J. CASEY
JACKSONVILLE, FL

Water, Air, Nerdy Passions

Congratulations to THE WEEKLY STANDARD for J. Bottum's "You Can't Eat Alger Hiss" (June 1). This masterpiece explained brilliantly to my wife what I have been unable to articulate. The article gave insight into why I drag our son out into the muggy, hot sun to see Henry Clay's original law office. Indeed, Bottum described why husbands must have these "nerdy," "useless" passions to live.

BRIAN NOEL
LEXINGTON, KY

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Toward November

As the Clinton undertow gradually drags Democrats under, Republicans will be tempted over the next few months to sit back and play it safe. Raise lots of money, neutralize the Democrats on health care, snipe at Clinton's China policy, and coast into November—with majorities in both houses of Congress intact.

Republicans can do better, for themselves and the country. True, the tide is already running their way. Last week's special election in New Mexico, where the Republican won more easily than she should have, given the nature of her campaign and the demographics of the district, is merely one piece of evidence. Another is that Republicans have now drawn even in the "generic congressional ballot" (that is, as many Americans are telling pollsters that they plan to vote for Republicans this fall as for Democrats—and polls at this stage of the game usually underestimate GOP strength). Furthermore, it is unlikely that the economy will be better, that the world will look safer, and that Clinton will appear more honest by November—which means that the natural swing over the next few months should be at least mildly against Clinton and the Democrats.

The question is whether the Republicans can go on the offensive and turn a mild tide into a surging flood. They have a real opportunity to do so on at least three fronts.

First, foreign and defense policy. As Clinton's foreign policy falls apart, Republicans should be doing more to highlight his failure. In China, Iraq, and Serbia—to take only the three most obvious examples—Clinton's policy in dealing with dictators has been virtually all carrot and no stick. Republicans should note this, and then embrace a Reaganite view of America's role in the world, explaining how the stick of American power should be used. They can do this both through legislative action and through rhetoric. They can pass legislation ensuring that Clinton will not be allowed to ease sanctions on Iraq—indeed, requiring certain U.S. efforts to aid the Iraqi opposition. They can urge the president to stop dithering and punish Milosevic. And they can cut off trade with corporations controlled by China's People's Liberation Army.

According to a recent account in the *Washington Post*, Clinton said at a White House meeting in 1994, "I hate our China policy! I wish I was running against our China policy. I mean, we give them MFN and we change our commercial policy and what has it changed?" Republicans should throw these words back at the president time after time this fall.

Republicans also need to point out that the administration has allowed our defense capabilities to go the way of our world leadership—steadily downward. Rep. Walter B. Jones Jr., Republican of North Carolina, remarked on the House floor recently, "America faces new threats and dangers every day, and yet we continue to cut our defense budget. The president's request for fiscal year 1999 represents the fourteenth consecutive year of real decline in defense spending." True enough. Unfortunately, the GOP Congress has objected barely at all to this decline and looks ready to grant the president's request once more.

The evidence that our defense spending is too low is ever more incontrovertible. For example, Adm. Archie Clemens, head of the U.S. Pacific fleet, recently acknowledged that simply accomplishing the Navy's current tasks would cost $82 billion; yet the budget for the Navy is only $70 billion. Republicans need to explain to the public why defense expenditures should increase. At the least, they should try to take some of the larger-than-expected budget surplus and direct it to defense in this congressional session.

Next, there is the matter of taxes: Republicans should also fight hard to direct some of that surplus to meaningful tax relief for the middle class. Last week, Newt Gingrich proposed a capital-gains tax cut. Whatever the merits of the speaker's economic case, it will be hard to convince the electorate that America's capital-holders have not been doing well in recent years. Republicans should push instead for relieving the "marriage penalty," or for a payroll tax cut, or, best of all, for an increase in the thresholds of the 15 and 28 percent income-tax brackets. (Ideally, Republicans

would be aggressive on each of these fronts.) One way or another, Republicans need to persuade voters that, with federal taxation at a record high as a percentage of GDP, they are serious about cutting taxes on working families and that Democrats stand in their way. Republican candidates should be assuring the public: The greater the number of Republicans in the next Congress, the better the chance of a substantial tax cut.

Finally, there is the most important issue of all—Bill Clinton: his character, his presidency, his place at the head of our nation. If Kenneth Starr issues a report before Labor Day, such an event will presumably inflict damage on Clinton and put the Democrats in a more awkward position than ever. But Republicans can do more than wait.

A recent survey by two Democratic pollsters, Stanley Greenberg and Celinda Lake, found Democrats and Republicans in a dead heat in the general congressional race—though with a "shifting issue environment" increasingly unfavorable to the Democrats. Greenberg and Lake say that their surveys show that there is an emerging "focus on values and moral decline" and that "Democrats are currently faltering on a broad range of 'values' issues, from personal responsibility and discipline to morality."

This is almost surely an effect of the Clinton scandals. Karlyn Bowman of the American Enterprise Institute notes that the gap between Clinton's job-approval rating and his rating on personal moral characteristics is greater than it has ever been. A recent Gallup poll has 66 percent of Americans approving of the president's job performance, while 33 percent believe him "honest and trustworthy." In a *Washington Post*/ABC poll, 64 percent of Americans approve of Clinton's job performance, while only 24 percent say he has high moral and ethical standards.

With a little GOP pushing, Clinton's job-approval numbers can be sent in the direction of his character numbers. If Republicans simply remind people that Clinton has refused to explain himself; if they cut through all the fog the White House likes to throw up and demand that the president come clean; if they point out that a Democratic House would guarantee that Clinton was home free, utterly unaccountable to the nation—that would be a measure of leadership and a boon to Republican electoral fortunes.

Given their performance over the last couple of years, one might say, Republican congressional leaders hardly deserve the increased majorities that Bill Clinton's recklessness and fecklessness will probably give them. But if they have it in them to go on the offensive in the coming months, they will not only increase their margin of victory this November, they will deserve it. Then they might be able to override some presidential vetoes in 1999. Then they will be better equipped to handle any impeachment proceeding. Then they will be in a position to lay the groundwork for a successful presidential run in 2000.

But none of this will happen by accident. Republicans cannot count on being the happy beneficiaries of History. They should have the wit and spine to help themselves—the country, too. ♦

The Serial Killer as Folk Hero

by Wesley J. Smith

The body of homicide victim Joseph Tushkowski underwent "a bizarre mutilation," proclaimed Oakland County (Mich.) medical examiner L.J. Dragovic in mid-June. According to the autopsy findings, the mutilator, after killing Tushkowski with a lethal injection, crudely ripped out his kidneys. He didn't even bother to remove the dead man's clothes, but simply lifted up the sweater, did his dirty work, and tied off the blood vessels with twine.

This is not a bizarre plot twist from the new *X-Files* movie. The despicable and gruesome act was committed by a team that included that ghoulish poster boy for "assisted suicide," Jack Kevorkian. He announced the deed proudly in a news conference earlier this month, during which he and his lawyer offered Tushkowski's organs for transplant, "first come, first served." There were no takers.

No one who has followed Kevorkian's eight-year killing spree can be shocked at this latest outrage. In his 1991 book *Prescription: Medicide* and other writings Kevorkian long ago alerted the world that he would take human organs from his victims. Indeed, just a few months ago, he promised to hold a press conference with jars containing human organs at his side.

Most of this hasn't penetrated into the public's consciousness. Perhaps some evil acts are too grotesque to comprehend. Or perhaps, rather than accept the harsh truth—which would require an end to apathy and a rejection of assisted-suicide theory—it has been easier for the public to swallow the assertion of Kevorkian's minister of propaganda, lawyer Geoffrey Feiger, that Kevorkian's only aim is to relieve

human suffering. But that isn't his aim at all. Jack Kevorkian is in this for his own twisted purposes—and his writings, public statements, and actions prove it.

Kevorkian has embarked on a three-pronged campaign to destroy traditional American medical ethics, a campaign that also gives him free rein to indulge his twisted obsessions. The first phase was to make "assisted suicide" seem routine and even banal, not so much to relieve suffering (which he called "an early distasteful professional obligation") as to make "possible the performance of invaluable experiments or other beneficial medical acts under conditions that this first unpleasant step can help establish." Phase Two, which he has now entered, is to harvest organs from his dead victims and offer them for use in transplants. This is intended to make the voluntary killing of despairing disabled and sick people seem beneficial to society. The third and final phase: Use assisted-suicide victims as experimental "subjects" before they die—in other words, human vivisection.

Peter Steiner

Phase One of Kevorkian's quest succeeded beyond even his own wild expectations. Who would have believed in 1990, when Kevorkian committed his first assisted suicide, that he would go on to "assist" more than 100 victims without significant legal consequence, and be viewed by a bemused public as some village crank? It doesn't seem to have mattered to the jurors who have helped him escape prosecution—or to the part of the public that sees him as a social reformer—that approximately 80 percent of Kevorkian's victims were *not* terminally ill. Most of them have been people with disabilities, primarily multiple sclerosis but also arthritis and spinal-cord injury. Few care that two of the victims were not mentally competent, including a man who believed he was a KGB agent and a woman with late-stage Huntington's disease. Another six of Kevorkian's victims had no identifiable illness upon autopsy, including an 82-year-old woman who admitted in her suicide note that she just wanted to die. In Oakland County, Kevorkian's base of operations, prosecutor David Gorcyca won office in 1996 after promising to leave the one-time doctor alone.

Now a law unto himself, Kevorkian has opened his second phase, in which he intends to use disabled human beings as organ farms. There is purpose behind this madness. Kevorkian believes a disabled person who is not in suicidal despair to be "pathological." In an August 1990 court statement, Kevorkian wrote that "the voluntary self-elimination of individual and mortally diseased or crippled lives taken collectively can only enhance the preservation of public health and welfare." He views the organs of the disabled as having greater value than disabled people themselves. It is thus no coincidence that Tushkowski, Kevorkian's first "organ donor," was disabled with a spinal injury.

If Michigan law enforcement and public opinion swallow Phase Two—as seems likely, considering the blasé public reaction to Tushkowski's mutilation, the deafening silence about it from most of Michigan's and the nation's political leaders, and the shrug of the shoulders by prosecutor Gorcyca—look for Kevorkian to quickly implement Phase Three, "unfettered experimentation on human death."

In *Prescription: Medicide*, Kevorkian explicitly described his future plans. "Knowledge about the essence of human death," he wrote, "will of necessity require insight into the nature of the unique awareness . . . that characterizes cognitive human life. That is possible only through . . . research on living human bodies, and most likely by concentrating on the central nervous system." There is no reason to believe Kevorkian won't act on his desire to cut up people while they are still alive, just as he has acted on the first two phases of his campaign, which he also wrote about explicitly and in detail long before actually putting theory into practice.

Jack Kevorkian is a quack, a ghoul, and a fiend. He is a quack because, though once trained as a patholo-

gist, he has no training or expertise in diagnosing or treating depression, and he has not treated a living patient, at least not one who survived his "treatment," since his residency and military service in the 1950s. (His license to practice medicine was lifted in 1991.) Yet he purports to advise despairing sick and disabled people about their medical prognoses. He is a ghoul because he is obsessed utterly with death. Indeed, his "Dr. Death" moniker dates back to his medical-school days, when he would haunt hospital wards at night, staring into dying people's eyes. He is a fiend because his fondest dream is to slice open living people. He may also be the world's most clever serial killer, as one media observer once put it, since his victims come to him.

The ugliest truth in the Kevorkian story, though, is not about him but about us. In a decent and moral country, Kevorkian would long ago have been shunned as a pariah and jailed or forcibly confined to a mental institution. Instead, Jack Kevorkian has become the most unlikely folk hero in the United States. Earlier this year, he was feted at *Time* magazine's 75th-anniversary gala, where he was praised by attending celebrities like actor Tom Cruise, who rushed up to shake his hand. Andy Rooney interviewed him on *60 Minutes* and proclaimed him a "courageous pioneer." Larry King and Charles Grodin are admirers. Geoffrey Feiger, his longtime lawyer and confidant, has a good chance of becoming the Democratic nominee for governor of Michigan.

The ultimate horror of Jack Kevorkian lies not in the hollowed-out body of his latest victim, but in the hollowness he has exposed in the society that tolerates—and even celebrates—his increasingly gruesome killing spree.

Wesley J. Smith, an attorney for the International Anti-Euthanasia Task Force, is the author of **Forced Exit: The Slippery Slope From Assisted Suicide to Legalized Murder** ***(Times Books).***

J'DISCLOSE!

by David Tell

STEVEN BRILL IS A STICKLER FOR ETIQUETTE, and he doesn't mind telling you so. Here's a story he told last week on *Meet the Press*. On June 11, he gave the Office of Independent Counsel a heads-up about "Pressgate," Brill's novella-length article identifying Kenneth Starr as the source of illegal leaks from the Monica Lewinsky grand jury to *Newsweek*, the *Washington Post*, ABC News, and the rest of the universe. "We are going to fax you something" tomorrow morning, he notified Starr's office by telephone. The following day, "once we got it confirmed that Judge Starr had the article"—but not a moment before, mind you—"we then sent it to the press." Also to a few hundred thousand other people across the continent.

It is the Rule of Brill: If you're about to charge, in a much-hyped, 24,000-word, nationally distributed broadside, that some well-known person is guilty of a "felony," you really *must* give the accused a split second's advance warning. Anything less would be ungentlemanly.

Then there is the First Corollary to the Rule of Brill: This courtesy must be reciprocated. Your subject may not publicly defend himself against such a frontal attack on his reputation—by pointing out, for example, that you don't know what you're talking about—until he has contacted you privately first. Four days after "Pressgate" was released (producing a weekend of unmitigated PR hell for the independent counsel), Starr issued a meticulous, 19-page response to Brill. "I had to get [Starr's] letter from CNN," Brill complained on that night's *Larry King Live*, "even though it was addressed to me." Imagine that! Where were Starr's manners? The man is a felon *and* a boor.

And then there is the Second Corollary to the Rule of Brill: Brill must be afforded the chance to pre-spin other journalists who plan to scrutinize his writing, and that spin must be reported in any resulting, published critique. Otherwise, apparently, the critique is illegitimate.

On *Meet the Press*, Brill angrily questioned panelist and WEEKLY STANDARD executive editor Fred Barnes about the ethics of this writer's article last week on "Pressgate" ("Bill Clinton's Lap Dog," June 29). Did we admit our, you know, *motivation* for that exercise in debunkery? Specifically, did we reveal that *his* magazine, *Brill's Content*, was at work on a piece "concerning outside speaking fees for people like you [Barnes]"? And why had no one from the STANDARD ever called Brill for comment about himself? Brill would never be guilty of such appalling lapses, he suggested. "Like, for example, you can ask Tim. Tim knows that I've called him for comment before I quoted him. I hope you think I quoted you accurately, Tim."

Actually, Tim Russert, host of *Meet the Press*, doesn't think Brill quoted him properly at all. And he's

correct about that. As are, no doubt, all the other reporters and editors who now claim Brill has mangled their words.

But these are technicalities. Brill was raising a point of propriety, integrity, *disclosure*. He is a big one for disclosure. To Russert, Brill disclosed that "Pressgate" had not disclosed what it should have disclosed: Brill and his wife Cynthia's recent, modest financial contributions to Bill Clinton's Democratic party and several individual Democratic candidates. Brill additionally disclosed, by way of explanation, that no such contributions had been made since he began "writing about politics." Which disclosure was false, given that one of the contributions at issue was logged in March of this year (Brill has acknowledged starting work on "Pressgate" in February).

Never mind. As the author of THE WEEKLY STANDARD's "Pressgate" analysis, I here have a few of my own disclosures to make.

§I disclose, first, that I didn't originally mention that *Brill's Content* was working on an article about Fred Barnes's speaking fees—because I wasn't aware of it. I disclose that if I had been aware of it, I *still* wouldn't have mentioned it—because Fred Barnes's speech-circuit activities, which he has never made a secret, were irrelevant to the subject of my piece: the extraordinary collection of historical fictions, key omissions, disputed quotations, and unwarranted inferences contained in Brill's 29-page essay. I disclose that I would have written my brief against Brill even if Fred Barnes had never given a speech in his entire life.

Kevin Chadwick

Steven Brill

§I disclose, next, that I did not call Steven Brill while I was cataloguing his mountain of errors—because nothing he might have said could change the fact of those errors. A writer's words are supposed to speak for themselves, on the page, not on the phone. When they speak dishonestly, and create a national spectacle in the process, other writers are entitled—even obliged—to point it out.

§I disclose, further, that I have only this past week completed a thorough review of the federal case law on violations of grand-jury secrecy. So I was unable, the first time around, fully to disclose just how shabby is the theoretical—as opposed to evidentiary—basis on which Steven Brill contends that Ken Starr has committed a crime. I am happy to clarify the record now.

Bobbing in the ocean of text that is "Pressgate" are just a handful of quotes from Brill's hour-and-a-half-long, mid-April interview with Starr. Brill gets Starr to "admit"—Brill's loaded word—that he and one of his deputies "have talked with reporters on background on some occasions." "Pressgate" contains only one, abstract quote from Starr about the law governing the confidentiality of grand-jury material and deliberations, Federal Rule of Criminal Procedure 6(e). That rule, Brill reports Starr told him, does not apply to "what witnesses tell FBI agents or us *before* they testify before the grand jury." From these two Starr-provided clue-scraps—and from an amazingly tendentious rereading of the Lewinsky press coverage in January and February—Steven Brill infers that every damaging Bill-and-Monica tidbit now in public circulation was hatched from the Office of Independent Counsel.

Assume, just for the sake of argument, that Brill is right about all this. Assume that Brill has reported Starr's words in faithful context, which Starr denies. Assume that Starr genuinely believes what Brill has him saying about Rule 6(e), which Starr also denies. Assume that, in every instance Brill recounts, Starr really has leaked the dirt on Clinton and Lewinsky—something it is absolutely wrong to assume, but assume it anyway.

The question remains: Is it *illegal*? Steven Brill could not be more insistent on this point. "I have a reputation for being good at reading the law and at doing that kind of legal research," he has lately bragged. In "Pressgate," Brill dismisses the view of Rule 6(e) he attributes to Starr as "absurd." In television interviews since "Pressgate" was published, Brill has gone even further. The independent counsel, Brill insists, is "the only lawyer I've ever talked to" who has such a "narrow, narrow, narrow" take on 6(e)'s requirements. Hell, "there really isn't any other lawyer on the planet who interprets the law the way he does." And "every court that's had to take a look at it has flatly contradicted" that interpretation.

It takes a lot of time, but this is a perfectly checkable assertion. Brill has only ever cited a single federal court in support of his argument, the Circuit Court of Appeals for the District of Columbia. He has, for that

matter, only ever cited a single opinion of that single court: *In re: Motions of Dow Jones & Company, Inc.* And only a single, three-word phrase of that single court's single opinion seems to offer Brill any possible help at all. Rule 6(e), *Dow Jones* says in a brief aside, keeps secret not just matters actually under consideration by a grand jury, but also matters "likely to occur" there in the future. In this tiny acorn, Mr. Justice Brill perceives a mighty oak: Even remotely *potential* grand-jury information acquired during FBI field interviews, he wants us to understand, may never be the subject of conversation between prosecutors and reporters. Thus, Kenneth Starr is a crook.

Except that *Dow Jones*, decided May 5 of this year, is not a ruling about 6(e) per se and does not pretend to do anything more than briefly summarize the D.C. Circuit's past 6(e) decisions. And those decisions are hardly the unmistakable rebuke to Starr that Brill imagines. The basic case, *SEC* v. *Dresser Industries*, from 1980, bluntly rejects the notion that a "veil of secrecy" must be drawn "over all matters occurring in the world that happen to be investigated by a grand jury." The D.C. Circuit precedent most clearly relevant to the Lewinsky controversy—for the uncanny similarity of the anonymous sources involved—is *Barry* v. *United States*, a 1989 appeal brought by D.C. mayor Marion Barry. There had been news reports about Barry's cocaine use sourced to "law enforcement officials." But those leaks "not explicitly linked" to ongoing grand-jury proceedings, the appellate panel decided, did not establish a prima facie case of illegal disclosure. The following year, a federal trial court summarily rejected Barry's complaints against the prosecutors.

Is it true, in short, that "every court that's ever had to take a look" has unambiguously agreed with Steven Brill? No, it is not. And there is more than just the D.C. Circuit to go on. It turns out there are precedents in at least half the nation's other appellate jurisdictions that fully put the lie to Brill's vaunted powers of legal research.

Here's one from the Third Circuit: Information "developed by the FBI, although perhaps developed with an eye toward ultimate use in a grand jury proceeding, exists apart from and was developed independently of grand jury processes" and is therefore not protected by Rule 6(e). Here's one from the Fifth Circuit: "Disclosure of information obtained from a source independent of the grand jury proceeding, such as a prior government investigation, does not violate Rule 6(e)." Here's a tax case from the Ninth Circuit: "Taxpayers argue that all material 'amassed for presentment to a grand jury' is 'protected by the secrecy provisions of Rule 6(e).' Taxpayers' statement of law is incorrect." Here's a Tenth Circuit ruling: "Revelation of information that has not been submitted to the grand jury does not vitiate [Rule 6(e)] protections for the simple reason that the information was not part of what transpired in the grand jury room."

And here is the Eleventh Circuit: The 1988 case *C.W. Blalock, Jr.* v. *U.S.* held that Rule 6(e) "does not protect from disclosure information obtained from a source other than the grand jury, even if the same information is later presented to the grand jury." On *Fox News Sunday* on June 14, Brit Hume read Steven Brill those words from *Blalock* and asked him whether that case was "not good law." Brill didn't miss a beat. "No, it's not good law," he responded. "It was specifically overruled in a case in the court of appeals in Washington on May 5 [*Dow Jones*]. That case is very specifically not good law."

Yeah, well, guess what? As it happens, the D.C. Circuit's *Dow Jones* ruling nowhere mentions the *Blalock* case. Brill was just blowing smoke. And one federal appellate court cannot "overrule" another federal appellate court, in any event. Only the Supreme Court can do that. Steven Brill hasn't done any serious "legal research" whatsoever.

Two final disclosures, then. One, Steven Brill remains a self-important, reckless, and unreliable man. And two, I didn't call him this time, either.

***David Tell is opinion editor of* THE WEEKLY STANDARD.**

THE PRESIDENT'S DOLLAR

by David M. Smick

IF YOU ARE CONFUSED over the adoring press coverage of Treasury Secretary Robert Rubin for his intervention in global currency markets, you're not alone. Rubin himself must be scratching his head.

Remember: Until Treasury's surprise move into the markets on June 17, Rubin had been ostentatiously *not* intervening while the dollar marched higher and higher against the Japanese yen. So his sudden effort to shore up Japan's currency needed some explaining.

The first admiring reports from Wall Street argued that Rubin, the clever former Goldman Sachs market wizard, had somehow deliberately tricked currency

traders, who were betting heavily that the yen—and the Japanese economy—would continue to weaken. Rubin was intervening to rescue not just Japan and Asia, these reports said, but a U.S. stock market gloomily obsessed with Japan's sinking economy. And he was doing so in the most dramatic fashion possible.

The next wave of optimistic stories claimed that Tokyo, in fact, had finally seen the light and was ready with bold new policies to stimulate its economy and overhaul its banking industry. The new U.S. support for the yen, in this view, was supposed to be a well-timed reward for Japan's breakthrough.

Little of this has any relation to reality. True, the Japanese have hinted about setting up something called a bridge bank to collect bad bank loans. But the specifics could be months from materializing, if they ever do. Market insiders call this the "Tokyo Tease"—economic reform pronouncements that somehow never materialize. Indeed, with the yen temporarily stabilized, Japanese officials strangely felt confident enough last week to attack Rubin himself. A senior Finance Ministry official told the *New York Times*, "I'm very much afraid that [Rubin] doesn't understand what's going on in Japan."

The truth is that Rubin may be one of the few in the Clinton administration who does understand what's at stake. That's why he was, wisely, staying out of the currency markets. The yen-support exercise, far from being a sign of Rubin's genius, was instead concocted in a hasty telephone call between President Clinton and Prime Minister Hashimoto, no doubt with the president's China trip at least partially in mind. And while it may have temporarily calmed both U.S. and Asian financial markets, the intervention may well come to be seen as a fruitless if not counterproductive gesture.

The yen has already weakened to the exact point where the Clinton-Hashimoto currency intervention took place. Worse, that exercise, announced so joyfully by the White House, came at the precise moment Rubin's hands-off, strong-dollar policy was starting to work. Before the intervention, Japan's Liberal Democratic Party leadership in the parliament had become so concerned about yen weakness that quick policy action was being considered. Now a lot of that pressure is off.

What Rubin understands is that Japan's policy community is in deep paralysis, bitterly divided over a host of issues. At least half—the believers in the status quo—want the yen supported at almost any cost for fear that further weakening of Japan's currency will all but destroy the banking system. The other half—the reformers—think that crisis conditions are the only conditions under which the badly needed, and expensive, restructuring of Japan's banking system will ever take place. Remember, Japan is not just another Asian economy, as Federal Reserve chairman Alan Greenspan has consistently pointed out. Japan is the second largest economy in the world, with ample resources to fix its horrible, non-performing bank-loan problem. Japan's problem is not money, but the lack of political will.

Robert Rubin

In a sense, the industrialized world is being forced to decide which is the greater priority: China and Southeast Asia or Japan? Rubin's hands-off, strong-dollar policy clearly recognized that a quick and sustained recovery of the Japanese economy is the far greater priority. That involves breaking Tokyo's policy logjam, which is what the strong dollar was intended to do. This policy has also kept long-term U.S. interest rates low and sustained America's recovery.

True, other parts of the Pacific Rim might find this policy temporarily uncomfortable, perhaps even frightening. The Chinese have voiced concerns, although it is not clear why; China does not compete directly with Japan, and Japanese recovery is absolutely essential to China's economic success. The Europeans might also be less than thrilled given their concern with payments problems for their troubled banks in South Korea and Indonesia in particular. But from the standpoint of the future of the United States and

Japan, at a time when Japanese trade deficits with America are ballooning, Rubin's instincts were right on the mark. Too bad everyone flinched. President Clinton may now have a much less eventful trip to China, with no messy and embarrassing global market complications. But one gets the feeling that an opportunity has been lost. There is indeed a cost to conflict avoidance.

Bob Rubin was no doubt embarrassed to be praised for the intervention, because he understands quite well what is going on in Japan. Indeed, he probably understands better than many Japanese advocates of the status quo would like him to.

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Beyond Partial-Birth

by Fred Barnes

Let's assume the next Congress overrides President Clinton's veto of a ban on partial-birth abortion. This isn't far-fetched. Even in the unlikely event Republicans lose a handful of seats in the House, that chamber will probably retain a solid two-thirds majority for overriding Clinton. And in the Senate, the prospects are very good for electing enough new senators to reach the magic number of 67. Today, there are 64 Senate votes to override. One more will be added with the all-but-certain election of Republican governor George Voinovich to succeed Democrat John Glenn in Ohio. Another vote for the partial-birth ban will be added in Arkansas no matter who wins, Democrat Blanche Lambert Lincoln or Republican Fay Boozman (Democrat Dale Bumpers is retiring). In Illinois, Republican pro-lifer Peter Fitzgerald has a legitimate shot at ousting Democrat Carol Moseley-Braun to add the 67th vote. Other Senate breakthroughs are also possible. Of course, GOP senator Al D'Amato must win reelection in New York, but that looks more likely every day. So the bottom line is: There's a 50-50 chance or better that partial-birth abortion will be banned by early next year.

THERE'S A 50-50 CHANCE OR BETTER THAT PARTIAL-BIRTH ABORTIONS WILL BE BANNED BY EARLY NEXT YEAR. WHAT'S NEXT FOR PRO-LIFERS?

What's next, now that the pro-life movement has momentum, plus better poll numbers? With the abortion debate working to their advantage, what should pro-lifers seek in Congress? This is suddenly a matter of considerable discussion. And the answer is legislation that's more sweeping than the partial-birth ban and designed to prohibit thousands more abortions each year. The exact form of the legislation will probably be decided by the four most influential anti-abortion leaders in Washington: GOP senator Rick Santorum of Pennsylvania, Republican representative Charles Canady of Florida, Douglas Johnson of National Right to Life (NRL), and Gary Bauer of the Family Research Council. Nothing will happen without their support, or at least their acquiescence.

Of the four, Bauer is the most confrontational. He's eager to seek a ban on second and third-trimester abortions, which would directly challenge the *Roe* v. *Wade* decision that legalized abortion. Santorum and Canady are sympathetic, but they're hardly committed to going ahead with such a bill. Johnson, the architect of the partial-birth ban, is wary of even talking about strategic decisions now. Santorum remains intrigued by a suggestion last year of Senate Democratic leader Tom Daschle, who said he might back a ban on all "post-viability" abortions. In other words, if the baby could live outside the womb, for even a short period, then it would be illegal to kill it. "If Daschle is willing to look at a post-viability ban, let's look at it," Santorum says. He assumes such a ban would cover all abortions after 20 weeks' gestation. However, other pro-life leaders—Canady and NRL officials, for example—suspect a Daschle bill would include gaping loopholes, scuttling any deal with Santorum and other pro-lifers.

Bauer, who's allied with former Pennsylvania governor Robert Casey, a Democrat, is ready to provoke a major fight with Clinton and the courts. "You have to keep forcing votes and putting bills on the president's desk," Bauer says. "Make him veto." Legislation should not be tailored to accommodate the courts either, he argues. Instead, there has to be a willingness "to confront the judicial branch. There's a larger issue here: whether we're a self-governing people or not." He likes the approach of seeking a ban on all abortions

in the ninth month of pregnancy, then the eighth, and so on. "You'd probably get down to the fourth month before you had a close vote [in Congress]." In the end, though, Bauer favors a campaign to ban second and third-trimester abortions. "There isn't much opposition to this across the country," notes Jeffrey Bell, a GOP strategist who advises Bauer.

Santorum, to whom other senators defer on the abortion issue, is more cautious, at least in his public statements. "You have to move the abortion debate on the basis of common ground," he insists. That's why he'll confer with Daschle about a post-viability ban. "Most people would find that common ground. Let's take people where they are [on abortion] and not push beyond where they are."

Still, Santorum and Bauer have become close allies and are likely to act together. Canady, chairman of the House Judiciary Constitution Subcommittee, says he's "not interested in signaling to the other side" what the anti-abortion forces will seek next. On partial-birth, he says, pro-lifers have benefited from catching the pro-abortion lobby by surprise. In any case, Canady favors a bill with a broad impact "consistent with the overall goal of moving the public debate forward." Johnson, for his part, believes the whole matter is "not ripe yet," since the partial-birth battle hasn't been won.

It's already had an enormous impact on the abortion debate, though. Once Ron Fitzsimmons, a lobbyist for the abortion industry, admitted last year he and others had lied about the number of partial-birth abortions taking place in the country, the media began covering the story.

This was critical, Santorum told me, because the pro-life activity in Congress is aimed partly at educating the public about the gruesome nature of aborting a child. "Somehow we've got to catch the media's attention [again]," he says. More important, the partial-birth debate prompted a shift in public opinion. "For the first time in 25 years, the public has moved on abortion," says Santorum. A *New York Times*/CBS News poll found last January that national support for abortion in most cases has dropped from 40 percent in 1989 to 32 percent. Nearly 80 percent now back parental consent and waiting periods. Two-thirds think abortions in the second trimester should be forbidden, and 79 percent favor a ban on third-trimester abortions.

Before turning to a broader ban, pro-lifers must address two issues. Even before the election, another effort is set to override Clinton's veto of the partial-birth ban, though Santorum doesn't expect the three votes needed in the Senate to materialize. And then

there's the Child Custody Protection Act, which recently was approved 17-10 by the House Judiciary Committee. This would make it a federal crime to transport a minor across state lines to get an abortion, skirting a requirement for consent from one or both parents or a judge. The White House says Clinton will sign the bill if it's changed a bit. Naturally, the changes would weaken the measure. Still, Clinton's willingness to pay lip service to pro-life goals is striking. He feels pressure from the partial-birth debate and the polls. Next year, he's sure to feel even more.

Fred Barnes is executive editor of THE WEEKLY STANDARD.

PRAYER WITH THEIR PROZAC

by Christopher Stump

A QUIET REFORMATION is afoot in medical circles, one that is perhaps symptomatic of a turn in the culture toward "alternative" cures. At the forefront is the National Institute for Healthcare Research in Rockville, Md., which investigates what it calls "the interface between spirituality and health." Spearheaded by Dr. David Larson, the institute aims to mend a divide that was once a partnership: that between religion and medicine.

This divide was long in the making. Time was when priest and medicine man were synonymous, and faith healers were a dime a dozen. Far from being antagonists, religion and medicine were companions in the quest for health and wholeness. This was so because religion and medicine are, in a sense, of a piece: Medicine seeks to assuage suffering. And religion strives to assign meaning to suffering, blunting our sense of the finitude of death.

The Scientific Revolution severed religion from medicine by regarding the former as inimical to the pursuit of scientific truth. This severance hastened the final divorce between religion, newly charged to care for the soul and various of life's intangibles, and medicine, assigned to care for the body (and, following Freud, the mind). Advances in scientific knowledge shrank religion's purview as the gulf between religion and science widened.

Today, that gulf is narrowing. The salutary effects of religious belief on health are gradually becoming accepted by doctors, on the strength of research. But skepticism still abounds toward remedies that smack of the supernatural—and it is this skepticism that Larson and a cadre of like-minded doctors are seeking to attack.

Medical dogmas are being shaken by studies that attest to the beneficial effects of prayer on healing. These studies suggest that matters of the spirit are the foremost factor in enabling patients to recover from depression following a life-threatening illness, and that depth of religious commitment enhances the prevention and treatment of substance abuse. Researchers at Dartmouth report that patients buttressed by faith and social support are 12 times more likely to survive open-heart surgery. And a Duke study indicates that patients who attend religious services at least once a week have stronger immune systems.

Such findings may also confirm our intuitions: Researchers at Yale report that AIDS patients who believe in a forgiving and comforting God are less likely—no surprise here—to fear death. And other researchers indicate that regular church attendance, as distinct from the solitary spirituality of personal experience, conduces to health.

Still, the field has the air of a work in progress, and its methodology remains problematic. For instance, although an association exists between religious belief and good health, it is not known for certain whether religion promotes better health or vice versa. Furthermore, any measure of the effects of religious belief on health is complicated by the intermingling of psychological, social, and behavioral factors: The irreducibly religious element in attending a worship service, for example, must be separated from its healthful social effects.

Despite such concerns, Larson is goading secular-minded doctors to open their minds to the role of religion in healing. Interest in the subject has been quickened by a series of conferences, and the John Templeton Foundation—a philanthropic organization devoted to religious and scientific "progress"—has funded research in an area still foreign to many physicians. This foreignness is evidence of the various divides that Larson's group aims to span.

One divide lies between health-care professionals and clergy. Though four out of ten Americans consult with clergy in times of distress, psychologists routinely overlook the clergy's role in contributing to mental health. Another is the disparity between the religious convictions of many patients and the skepticism of most physicians. Larson and his allies fault doctors for

paying insufficient attention to the spiritual aspects of patients' lives and for ignoring religion's part in health.

An obvious remedy is for physicians or psychologists to remand their patients to priests or pastors. But a 1996 *Time*/CNN poll indicates that 64 percent of Americans want doctors *to pray with them* should they request it—which suggests that the public wishes to narrow the divide between physician and clergyman. "They do not want to check the religious aspects of their lives and their spiritual needs at the door when they are admitted to a hospital," says Dr. Dale Matthews, author of *The Faith Factor: Proof of the Healing Power of Prayer.* "They would like to incorporate their spiritual beliefs into their medical care."

Whatever reduces the anonymity and emotional aridity of a hospital stay surely deserves consideration. Yet certain doctors have actually moved beyond acknowledging to *appropriating* the role to be played by clergy in medicine. These physicians, deferring to patients' wishes for a more "patient-centered" focus, are dispensing prayer with Prozac. And in so doing, they may be repairing the divide between religion and medicine at the price of blurring rightful boundaries. Matthews claims that "every physician should be somewhat of a priest. We can train doctors to handle spiritual problems." But of course, no one expects a pastor to be a physician.

WHATEVER REDUCES THE ANONYMITY AND EMOTIONAL ARIDITY OF A HOSPITAL STAY SURELY DESERVES CONSIDERATION.

For medicine as a field, the rapprochement between religion and medicine may be partly beneficial and partly negative. Beneficial, because it may increase faith in medicine by opening up the profession to possibilities previously ignored. Negative, because doctors may confer undeserved seriousness on faux spiritual cures, thereby making the profession less rigorous and more vulnerable to the appeals of charlatans.

Moreover, medicine may slight religion by paying heed to it. For centuries, healing was a function of religion. Now, religion risks becoming, for some physicians, a function of healing. Though fewer than two-thirds of doctors profess belief in God, a good many of the unbelievers express confidence in the power of prayer to banish illness and maintain health. The net result among doctors may be to make religion a handmaiden of medicine, a method of "coping" whose value lies not in its truth but in its utility as an health aid.

To this charge, both physician and patient must plead guilty. Says Matthews, "The choice of one's religion should be based on personal and family considerations and theologic concerns, not out of hope that one religion offers a greater likelihood of obtaining health benefits than another." The problem, however, may not be whether one religion offers greater benefits than another (studies suggest that a depth of religious commitment matters more than the particular religious affiliation that inspires it). Rather, the prime risk is that religion will be mobilized as merely another tool, thus slighting its autonomy and dignity as an end in itself.

Sworn to pursue the interests of patients, doctors may subscribe to prayer's salutary physiological effects and at the same time doubt the existence of God—much like the patient who "prays" so as possibly to lower his blood pressure, but not to draw nigh to divinity. Thus the bind in which unbelieving physicians are caught: To pray with a religiously committed patient is subversive of the very enterprise of prayer, yet it may also be faithful—if prayer conduces to health—to the mandates of the medical profession.

In any case, the role of physician as pastor must remain tentative pending an answer to the question posed by Larson and his institute in their *Scientific Research on Spirituality and Health*: "Does the spiritual 'goodness-of-fit' between the health care professional and the patient make a difference in the effects of religious interventions on health outcomes; that is, are better clinical outcomes achieved when practitioners and patients share the same religious belief systems?"

The question remains open. Doctors uncomfortable with the pastoral role can direct patients to clergy. Yet one principal argument for training doctors to minister spiritually to patients has been the claim that clergy are in short supply. And managed care limits the ability of patients to shop for a doctor better in tune with their own religious convictions.

In the end, like it or not, physicians committed to optimal health for patients may find themselves ministering to them. If religious commitment enhances survival rates, health-care professionals can scarcely afford to ignore it. And surely religious faith can withstand being made a means when the end is the preservation of life itself. This is, as Larson notes, the good news for medicine about the Good News. So the proper response for men of the cloth toward clerical clinicians perhaps should be: More power to them.

Christopher Stump is a reporter for THE WEEKLY STANDARD.

The Media's Favorite Republican

By Andrew Ferguson

The United States Senate in its infinite wisdom effectively killed federal tobacco legislation late on the afternoon of Wednesday, June 17, and an hour or two after the final vote, the bill's sponsor, Sen. John McCain of Arizona, was sitting in his office, looking happy.

"Sure, I'm disappointed," he said, "but I'm not distraught. The thing you have to understand is, this thing was thrust upon me. I didn't ask for this job. The leadership came to me and said, McCain, get a bill through committee, and do it with bipartisan support. And I said, 'Aye-aye, sir.' And we got it through on a 19 to 1 vote. Kept the process moving forward.

"I feel strongly that this bill was the best way to stop kids from smoking. And I believe in the cause. But this has never been on my agenda. Now, campaign-finance reform—I'm passionate about that. And national-security issues. But tobacco legislation—I never would have considered it otherwise."

Even so, I said, you spent three months on it. Your name was wrapped around the bill and it just went down in flames. And you act like you just got back from the beach.

He shrugged, still smiling. "I told my guys"—the staffers who had worked on the legislation—"what would we have done differently? We did everything we could. You see what I mean? We fought hard. We lost. Now let's move on."

I reminded him—not that I needed to—of the $40 million in ads the tobacco companies had bought to denounce the bill, and to denounce McCain, too, by name: Tax-and-spend McCain, they called him.

"Yeah," he said, "when I was in Arizona, I couldn't turn on the radio without hearing, 'What's happened to John McCain? How come he's supporting a big tax increase?'" He shrugged again.

Right, right, I said. So why do you seem so happy?

"Look," he said, impatiently, "let's go off the record for a second."

Andrew Ferguson is a senior editor of The Weekly Standard.

And then, off the record, John McCain told me why he's a happy man.

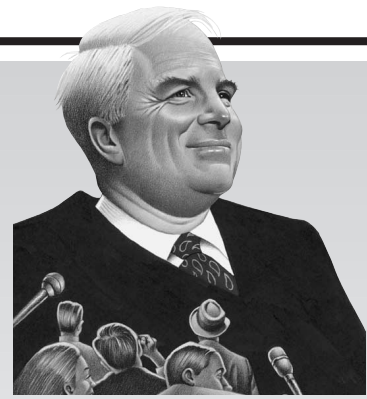
Here's one reason he should be happy, though he himself didn't mention it: John McCain gets the best press coverage of any politician in the country. It is widely acknowledged that he wants to run for president in 2000, and already national political reporters are lost in love. Reading through the press clippings, you come across a man who's part Jimmy Stewart, part St. Sebastian. The McCain Swoon is now so conspicuous that NBC News, the *Washington Post*, and other news outlets have assigned reporters to do favorable stories explaining why the stories about John McCain are so favorable. You see it straight off in the headlines of the many McCain profiles written over the past 18 months: "A Question of Honor" (the *New York Times Magazine*), "Combat Ready: A Day in the Life of Tobacco Warrior McCain" (*CQ Weekly*), and, continuing right over the top, "John McCain Walks on Water" (*Esquire*).

Much of the prose is comically overheated. "Bloody but unbowed, the brash McCain returned to the fray," wrote the left-wing columnist David Nyhan in the *Boston Globe*, apropos of something or other. "His spunk and determination win accolades across the political spectrum." And: "He is the brightest light in the shadowy Senate cave." And: "one of those rare political gems. . . . For a lot of people, the Senate is 99 bozos and this guy."

The prose isn't always so crude. Sometimes it is rich, gorgeous. "In the wider world," Charles Pierce wrote in *Esquire*, "he's come to stand for something completely different—an effective politics of public conscience. The people who come to him do so because they think they can find something they've lost. It is a perilous thing, this act of faith in a faithless time—perilous for McCain, . . . and perilous for the people who have come to him, who must realize the constant risk that, sometimes, God turns out to be just a thunderstorm, and the gold just stones agleam in the

sun." ("Jeesh," McCain said to me one night, when I mentioned these lines, "I don't think I'm that deep. Do you?")

The McCain Swoon is one of the curiosities of American politics these days, and it's worth exploring for what it tells us about political opinion-making, and about McCain. The "mainstream" press, after all, generally swoons elsewhere than at the feet of conservative Republicans. McCain himself offers a straightforward explanation for why reporters treat him so well. "Candor and accessibility," he says. "Candor, in that they know I'll tell them what I think. Accessibility—I'm going to return your phone calls. A lot of senators, if they don't want to talk about an issue, they won't return the calls. Even if I don't want to talk about your issue, I'll return your call, and I'll tell you I don't want to talk about it." It is impossible to underestimate the gratitude this generates in the hearts of reporters, who spend most of their professional lives on the phone making fruitless requests for interviews with important strangers who would rather attend an autopsy than talk to the press. "Reporters are so used to being spun," he says. "If you just talk to them, and tell them what you really think, they appreciate it."



The McCain Swoon is not merely personal—he has gained a reputation for being ideologically complicated.

So they like him. Most people do. McCain is a charming man, genuinely friendly, witty, and self-deprecating, showing neither the false bonhomie nor the Olympian vanity that politicians generally, and United States senators especially, employ in dealing with the press. With McCain there is no sense of manipulation; he gives the impression, calculated or not, of not being calculating. It would require a kind of perversity not to like him or enjoy his company. He is as close to a normal human being as a reporter has a right to expect any politician to be.

The McCain Swoon is not merely personal, of course; an ideological element enters in, as well. McCain's standing as an orthodox Republican is secure—conservative organizations that measure such things, and are ever alert to signs of deviationism, routinely score his voting record in the eighties and nineties, and he receives correspondingly low rankings from liberal groups. But over the course of his political career he has gained a reputation for being ideologically complicated. Though a former Navy pilot, for example, he has pushed relentlessly for the closing of obsolete military bases and fought to scuttle both the B-2 bomber and the Sea Wolf submarine. He has been skeptical of the actual deployment of American power, from the disastrous Lebanon adventure in 1983 to Desert Storm. (This strikes many reporters as anomalous, since they mistakenly believe that military men like warfare, just as they mistakenly believe that businessmen like the free market.)

McCain calls himself a "deregulator," and his tenure as chairman of the Commerce Committee largely bears him out. In the late '80s, he led the repeal of President Reagan's catastrophic-health-insurance bill—a position that foreshadowed his early opposition to President Clinton's proposal to nationalize health care. More recently, though, and much more famously, he has identified himself with two pieces of legislation that together would rival ClintonCare in their expansion of federal authority over previously unregulated areas of American life. The tobacco legislation fashioned by McCain's committee was a classic bill of attainder. It would have targeted, and maybe bankrupted, a single legal industry with a boatload of fees, advertising restrictions, and unspecified federal regulations. The weirdest provision would have penalized the industry unless consumption of its products declined over the next decade.

The McCain-Feingold campaign-finance bill is based on a similar faith in the blunderbuss application of federal power. In its various versions, for instance, it would have forced television stations to give free airtime to political candidates; made it illegal for issue-advocacy groups like the ACLU and the National Right to Life Committee to publish commentary on the voting records of federal office-seekers; severely restricted an individual's right to contribute to out-of-state politicians; and much, much else, all in the cause of "cleaning up politics."

This kind of ideological complication is catnip to Washington reporters, none of whom smokes and most of whom believe that financial contributions are the great corrupting influence in American politics. As a consequence, McCain has become the conservative that liberals love to love—a "maverick," it is said, who

invariably stands on "principle." In fact, it is impossible to discern a coherent set of principles that might explain the contradictory positions McCain has taken. He seems, even more than most practical politicians, to move on instinct. "You have to do what you think is right," he often tells reporters. "You may not agree with me, but you can be assured that I will always do what I think is right." And if the entire Washington press corps collapses in praise and admiration, well, then, so be it.

Washington's professional conservatives, of course, have been rather less pleased with McCain. They speak darkly of a man in the grip of "Potomac fever," an ambitious pol turning his back on his allies as he cravenly seeks the approval of, gulp, the *Washington Post* editorial page. People who know McCain well find this scenario absurd—or, as his old friend Orson Swindle, now a member of the Federal Trade Commission, puts it: "Utter bulls—." But the suspicion seems by now ineradicable. When I mentioned McCain to a fellow who works in a think tank in Washington, a highly principled, deeply committed, thoroughly incorruptible conservative, he scoffed. "John McCain is a squish," he said.

A squish.

"Do you want to go home?"

"No." . . .

"Now, McCain, it will be very bad for you."

For the next few days, he lived in terror, trembling at each sound in the corridor, knowing beyond question that his refusal to accept a release meant the good times were over. But nothing happened. A sense of relief began to take hold. He didn't trust it.

He was right. A week later he was braced in a stark room before Slopehead, the camp commander. Ten guards were standing by, including [the guard nicknamed] the Prick.

"Why are you so disrespectful of guards?" asked Slopehead.

"Because the guards treat me like an animal," snapped McCain.

The Prick gleefully led the charge as the guards, at Slopehead's command, drove fists and knees and boots into McCain. Amid laughter and muttered oaths, he was slammed from one guard to another, bounced from wall to wall, knocked down, kicked, dragged to his feet, knocked back down, punched again and again in the face. When the beating was over, he lay on the floor, bloody, arms and legs throbbing, ribs cracked, several teeth broken off at the gumline.

"Are you ready to confess your crimes?" asked Slopehead.

"No."

The ropes came next . . .

And so on, and so on—it gets worse. This passage is from *The Nightingale's Song*, Robert Timberg's account of five Vietnam-era Annapolis graduates, including McCain, and it helps, as you read it, if you know one thing. When Navy pilot McCain was shot down over Hanoi in 1967 and made a prisoner of war, his father was commander of the U.S. Pacific fleet, and the North Vietnamese offered to send the younger McCain home immediately—as a gesture of good will on their part, they said, and in reality a ploy to demoralize his fellow prisoners. The Navy Code of Conduct required that prisoners be released in the order of their capture. So McCain said no. So they beat him, starved him, hung him by his broken arms—*because he wouldn't let them let him go*.

McCain was in prison for five and a half years, two of them in solitary confinement. He had narrowly escaped death already, as Timberg writes, on the flight deck of the aircraft carrier *Forrestal* in the South China Sea, when a misfired Zuni rocket tore into the fuel tank of his A-4E Skyhawk. The ensuing firestorm burned for 36 hours and killed 134 men. When the *Forrestal* made it back to port, McCain immediately volunteered for duty on the carrier *Oriskany*, also in the South China Sea, and four months later he was in the Hanoi Hilton.

There he met Orson Swindle, who today sees in McCain an exemplar of the POW experience—my words, not his. These are his: "I don't know if he had these qualities before prison, the irreverence, the sense of humor. I suspect he did. But those qualities are magnified in prison. There's this sense among all of us that, you know, we've seen the worst. I mean, what are you going to do to us—throw us in jail? You learn to laugh at death—you've just got to defy death and pain and all the rest of it. You end up with a combination of tenacity and independence and arrogance.

"Most of us started off pretty cocky anyway. Then you spend five or six years not yielding, trying to keep to your principles and beliefs against this enormous pressure, and you build up an intensity that probably never leaves you. I'm sure John gets pressured every day to do one thing or another. But he doesn't yield."

McCain spent several months in the hospital after his release from prison in 1973, and then became a squadron commander in Jacksonville, Florida, training pilots.

"All of us are in a hurry, especially then," says Swindle. "You just hit the ground like a sponge, wanting to absorb everything. You want to live life. You're making up for lost time." Before long, McCain's marriage collapsed. "There's a pretty high divorce rate in our group," says Swindle. "The changes in the country, and in us, were so dramatic. Our wives and fami-

lies went through hell. It was an incredible chasm to try to cross. And a lot of couples didn't make it."

In 1980, McCain married Cindy Hensley, the daughter of a wealthy beer distributor from Phoenix. By then the Navy had transferred him to Washington, where he worked as naval liaison in the Senate. He became friendly with several senators—Bill Cohen, the current secretary of defense, served as best man at his wedding, Gary Hart as an usher—and McCain liked what he saw. "It gave me a certain desire for political pursuit," he says now. Timberg phrases it less gracefully in *The Nightingale's Song*: "His time in the Senate had whipped his ambition into a lather."

He and Cindy moved to Phoenix the next year. "I don't think he'd been here a week before I started hearing from political people, 'Gee, I just got a call from this guy McCain—what's he up to?'" recalls John Kolbe, a columnist for the *Arizona Republic*. "He was very smart and he moved very quickly. I remember wondering, Why doesn't he run for the state legislature? Well, there's a three-year residency requirement for state legislators. But he could run for Congress right away." A congressional seat opened up months after McCain arrived in Phoenix. Within 24 hours he and Cindy had bought a house in the district.

McCain's quick moves betrayed an ambition that seems extraordinary even by the generous standards of American politics. As it happened, though, the charge of carpetbagging was made only once, by a Republican rival in McCain's first political debate.

McCain explained to his opponent, and to voters, that with a father in the Navy he had always moved around a lot. "We lived all over the place," he said. "When I think about it, I guess the place I've lived the longest was Hanoi."

"That was the end of it," John Kolbe recalls. "It was the most powerful response I've ever heard to a political charge."

It was also, so far as I can tell, one of the few occasions when McCain has made explicit use of his POW experience for political advantage. But of course he doesn't need to. He knows the power of his personal story, and he knows, too, that its power is intensified when he leaves it unspoken. Whether this is cynicism, I don't know—I tend to doubt it—but it sure works, on reporters and on everyone else, too. His heroism is the thing that people know about him, when they know anything about him at all.

The other morning at National Airport, waiting to board a plane for a trip to New Orleans, McCain was approached by a scruffy young man with a shoulder bag.

"Senator McCain, I can't imagine you want to get on a plane after what you've been through," the man said.

"Friend," McCain answered, "if I was going to die in a plane it would have happened before now. You're safe with me."

"Yes, sir," the man said, with an awkward bow. "It's an honor. You have a lot of guts, sir."

I think this happens to John McCain a lot.

McCain was traveling to Louisiana for a political trip—a fund-raising lunch in New Orleans for his Senate reelection campaign, and then a fund-raising dinner in Baton Rouge for the state Republican party. In between were several hours of meetings with various Louisiana political operatives, at which McCain could take soundings for his possible presidential campaign.

No one around McCain doubts he wants to run for president, but opinions vary widely as to whether he'll do it. "He has a very serious issue with his family," says Jay Smith, a political consultant who has worked with McCain since 1982. "You can't run with your family opposed to it, and it's not at all clear that they'll want to do it." In 1994, Mrs. McCain disclosed her past addiction to prescription painkillers—an addiction that she had fed by stealing pills from a medical charity she had founded. She is a reserved and dignified woman, uncomfortable in the public eye. And the rules of the modern presidential campaign would probably require her to undergo any number of grotesque rituals of self-disclosure—an atonement interview with a soulful Barbara Walters, just for starters.

When I mentioned this possibility to McCain on the plane to Louisiana, he visibly shuddered.

"This is of great concern to her," he said. "She's not a political person. She lives in Phoenix with the kids"—the McCains have four, ranging in age from 13 to 6—"and she's busy with their schools and her volunteer work. She did something wrong. She's paid for it and gotten on with her life."

So why, given the possible strain on his family, would he want to run for president? He drew himself up in his seat, and spoke slowly so I would catch his every word.

"To give us, and our children, a more peaceful world," he said. "To create a more efficient and responsive government, a government that adheres to principle."

This, too, is typical McCain, as typical as the candor and barbed comments he's celebrated for. John McCain is not really allergic to political cant. He can

sling it with the best of them. Here's the real complication in McCain's public persona, and it is more often than not obscured in the press's obsession with his status as a maverick and a hero. The *New York Times* may call him a subversive. His staff may call him a populist. But the truth is, in most matters, he's a thoroughly conventional politician—vague, hesitant, risk-averse. He is given to statements like this one to Chris Matthews, when he was asked on CNBC's *Hardball* about Trent Lott's assertion that homosexuality was a sin.

"My view is that in the case of the military, the 'don't ask, don't tell' policy was appropriate. And I also believe that gays should not be in the military, and I know that's a problem that a lot of people would have. At the same time, I don't believe that we should discriminate against anyone, and that includes because of their sexual orientation. That may get me in trouble, but I don't believe that should be the case."

It's hard to see how such a statement would "get him in trouble," since no one, I'll bet, would be able to figure it out. As long ago as 1986, when McCain was first elected to the Senate after two terms in the House, R.W. Apple wrote in the *New York Times* that McCain was "now poised to emerge as a significant figure in national politics." That has always been the expectation of political observers, but it has largely gone unfulfilled. After twelve years in the Senate, few major pieces of legislation have borne McCain's name, and those that have, like the tobacco and campaign-finance bills, have been conspicuous failures.

As we drove around Louisiana, I asked him what three or four accomplishments he was proudest of during his years on Capitol Hill.

"Line-item veto," he said immediately, and then lapsed into silence. For many years, McCain was the prime sponsor of legislation giving the president a line-item veto. A few days after we spoke, it was overturned by the Supreme Court.

In the car there was a long pause. Then McCain added, "The repeal of catastrophic care," which was in 1989.

More silence.

"And then, in the third category," he continued, "I'd have to say involvement in foreign policy and national-security issues, ranging from the Persian Gulf resolution to all the other stuff I've been involved in in terms of national security. Remember, up until recently, that was my main area of expertise."

McCain says he is critical of the president's waffling foreign policy, particularly in China, but it is difficult to get him to say what, precisely, he'd do differently as president.

"The first thing I'd do," he told me, "is convene the best minds I know of in the field of foreign policy, and that would include members of previous Democratic and Republican administrations. I'd have Brzezinski, Jim Baker, Scowcroft, Tom Pickering, Kissinger, Warren Christopher—and I'm sure others. I'd say, 'Look, let's figure out where we are, where we need to go, what our conceptual framework is. Let's work out a cohesive foreign policy.' I'm sure that those people, with their collective brilliance and a lot of experience, could come up with a very cohesive foreign policy. See what I mean?"

And China, specifically—would he do anything different?

"Oh yeah," he says. "I'd send my best people over there first thing to talk privately. And they'd say, 'Look guys, this damn foolishness of transferring technology to people like Pakistan has got to stop and it's got to stop now. You've got to figure out where your priorities are, guys.'"

Or else?

"Or else, I'd tell them, there's going to be no choice but that the American people will demand that our relations with you will worsen. See? Of course, if they have some cogent argument why they can't do what we expect of them, then we'll listen to their views. After all, they are an emerging world power."

I asked him about a McCain defense budget. "Oh, there's a lot of things we could do," he said. "Modernization. Base-closings. Privatizing all the depot work."

Would he increase defense spending anywhere? "Yeah," he said. "But there's a lot of places where I'd decrease it. Trident submarines, the B-2 bomber. Some of the heavy equipment we're acquiring now."

And increases?

He thought for a moment. "Readiness," he said at last. "A more maneuverable Army and Marine Corps. Modernization. There are a lot of weapons we could have to modernize our force, but nobody knows how to pay for them."

As the car neared Baton Rouge, where McCain was to give a speech to Louisiana Republicans, I asked him about his domestic initiatives.

"It's a reform agenda," he said. "Medicare reform. Reform of the tax code, i.e., a flat tax."

I asked about his preferences among the various flat-tax proposals. "No preferences, really," he said. "We'd have to sort them out through a process of examination, discussion, and debate. If the American people thought we were serious about cleaning up the tax code, then we'd get a lot of expert advice. There are a lot of experts out there, you know. A lot of smart people. We could get the best and listen to them.

"I don't have the expertise really to be very knowledgeable about it. I read a lot about it, but it depends on who you read, because the assumptions are so different. See what I mean?"

McCain often frames his discussions of policy with an appeal to the authority of experts. When I asked him about the possibility of women's fighting in ground combat, he replied, "I just have to defer to Colin Powell, Norman Schwarzkopf, the Joint Chiefs. The experts are unanimous that that's not the way to go."

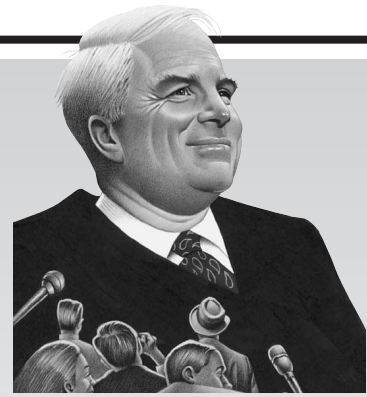
One afternoon, during the tobacco floor fight, I pressed him on some of the bill's dubious assumptions.

"Every living surgeon general, Dr. Koop, Dr. Kessler, every public-health organization, with hundreds of thousands of members—the American Medical Association, the American Cancer Society—every expert who's looked at this says this is the way to stop kids smoking."

But those groups will get billions of dollars under this legislation, I said. Of course they're for it.

He stared at me. "Every living surgeon general," he repeated coldly, "Koop, Kessler, the AMA . . ."

It is a trope we've heard before in politics, and as we pulled into Baton Rouge I suddenly remembered whom I'd heard it from. "What we do is, we get the best minds," Ross Perot used to say, "we lift up the hood and we go to work and fix it."



McCain often frames his discussions of policy with an appeal to the authority of experts.

And I remembered a line from the *Esquire* article about McCain: "He has gathered almost by accident a national constituency to whom politics seems almost beside the point, injurious, and nearly an affront." That was Perot's appeal, too. Independent, nonideological, with a limitless faith in expertise and a personal background that not only transcends politics but makes it look puny and mean by comparison: McCain is a thinking man's Perot, if such a thing is possible. A Perot without the weirdness. A charming, likable, heroic Perot.

McCain got a standing ovation from the Republicans in Baton Rouge. This was the first delivery of what will become his campaign stump speech if he runs for president, and it was beautifully written and almost meticulously unspecific—thematic, in speechwriter terminology. McCain didn't mention his war experience, of course. But it was there, as it always is, in the way he approached the podium, with his arms slightly akimbo from where they were broken 31 years ago. And it was there, indirectly, in the speech's peroration—an account of the battle for the *Mayaguez*, the last engagement in Indochina in 1975.

Of the men who died there, McCain said: "Where they rest is unknown, but their honor is eternal, and lives in our country for so long as she deserves the love of such brave men." When the lady in front of me rose at the end, she was crying. So was her husband.

Back at the hotel I had a final few minutes with McCain. In the several hours I'd spent with him over two weeks, he'd asked me to go off the record only once—and that was when he'd explained why he was so cheerful even though the tobacco bill had just been defeated. Now I asked him why he'd gone off the record.

"Because I know how it sounds," he said. "It sounds self-serving. I can't tell you how intense the pressure is to use all that stuff. Just the other day they brought me a fund-raising letter they'd written for me and the opening was something like, 'I remember the nightmare of Vietnam . . .'

"I said, 'Sweet Jesus, you can't use this.' I will never do this.

"Look, it's something that happened in my life. I didn't like it. I don't think about it. And I hate to talk about it. But I can't tell you how badly I want to be remembered as a good senator—the guy who got the line-item veto—and not as a guy who was in prison."

Finally, though, and maybe reluctantly, he said I could put the quotes on the record. So we'll end where we began, with John McCain explaining his good cheer.

"Off the record?" he'd said that evening in his office, after the tobacco defeat. "Okay: You read Timberg's book. About prison, and the *Forrestal* and all that. By any rational measure, I shouldn't be alive right now. After that, everything's like a bonus. I've got a great job. I've got a wonderful wife and beautiful kids. Here—" he grabbed a piece of colored notepaper from his desk. It was a letter from his daughter at Spanish camp. "Hola Papa Mia!" it began.

"*This* is what's important. I've learned what's important. And the rest?" He shrugged, hands in the air. ♦

HMO-Phobia

By Matthew Rees

Members of Congress don't come much more conservative than John Shadegg, an Arizona Republican first elected to the House in 1994. But last year, Shadegg cosponsored a bill many conservatives derided as "ClintonCare II." Before long, interest-group ads excoriating Shadegg were running on the radio in his Phoenix district. So when he agreed to appear on a conservative-oriented talk-radio show a few months back, he expected a flood of criticism. Instead, one caller after another recounted horror stories of dealing with HMOs and congratulated the congressman for supporting managed-care reform. Shadegg is now so confident of his position he's planning to campaign this fall on his support for reforming the liability provisions of federal health-care law, something fiercely opposed by the HMO lobby.

Shadegg is hardly alone. Many congressional conservatives are criticizing HMOs, a traditional Republican ally, and last week a House Republican health-care task force issued a long-awaited report recommending an array of reforms that managed-care groups oppose. It's still unlikely any legislation will pass this year—Senate Republicans are less interested in action, and congressional Democrats don't want to hand the GOP an election-year accomplishment. But there's no longer the wholesale opposition to health-care reform that killed the Clinton plan four years ago.

Forcing Republicans to think about health-care reform has been Rep. Charlie Norwood, a Georgia conservative who gave up his dental practice to run for the House in 1994. After spending just two years in the conservative trenches, Norwood surprised people by introducing a sweeping anti-HMO bill last year. Even more surprising was that his bill quickly attracted the support of a majority of the House. And while more Democrats than Republicans signed up as cosponsors, conservative criticism was offset by the bill's endorsement from not just Shadegg, but also other firebreathers like Helen Chenoweth, Tom Coburn, Lindsey Graham, Steve Largent, and Joe Scarborough.

The breadth of support for Norwood signaled to House speaker Newt Gingrich that if he didn't come up with a competing proposal, he could be forced into holding a vote on the regulation-heavy bill and might even see it pass. So in late January, Gingrich announced the creation of a health-care task force and named as chairman the most popular member of the elected GOP leadership, Denny Hastert of Illinois.

The task force met on Thursday mornings in Hastert's office. The discussions ranged from emergency-room care to medical savings accounts. While the group was dominated by earnest, accommodating types like Jim Talent and Porter Goss, much of its time and energy was devoted to controlling the prickly Norwood, who occasionally threatened to resign from the task force if he didn't get his way.

Hastert thought he was close to having a finished product in May and took his recommendations to Gingrich. But the speaker told Hastert to come up with "bolder" and more "visionary" recommendations, more in tune with "21st-century thinking." No one knew what Gingrich meant, but reopening negotiations exacerbated tensions between Norwood and the rest of the group. When Rep. Bill Thomas, a Gingrich ally on the task force, was quoted in published reports calling Norwood's health-care proposal "asinine," Norwood publicly demanded Thomas's dismissal. Other task-force members noted Norwood was more guilty than anyone of talking to the press—he regularly distributed press releases during the task force's work—and the avuncular Hastert quickly intervened to douse the tensions.

Hastert's biggest achievement may have been to convince Norwood to sign on to the task-force report. Marathon meetings were held right up to June 24, the day the report was released, and when Norwood spoke at the standing-room-only press conference, he praised the final product and claimed to have gotten 75 percent of what he'd wanted. That's generous: His proposal to increase regulation of health-provider networks was scrapped, as was his proposal to impose legal liability on employer-provided health plans. Even so, the task force won't win plaudits from free-market groups. Its recommendations would increase federal regulation of the health-care industry. But whatever effect it has won't be immediate. The task force still hasn't drawn up legislative language, and it's hard to see how Congress could pass a sweeping bill in the few days remaining in this legislative year.

Many House Republicans are nonetheless happy to

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have a health-care policy they can be for, as opposed to merely responding to Democratic proposals. And the task-force report is all the more welcome in that health care is about the only issue Democrats have to use against Republicans in this fall's congressional elections. There's little to suggest voters will punish the GOP for killing the tax-heavy tobacco bill, and the House is likely to remain mired in the intricacies of campaign-finance reform for the next few months. That leaves health care as the only issue where Republicans feel vulnerable in the midterm campaign.

A preview of the Democratic line of attack came June 23-24. First, Senate Democratic leader Tom Daschle released a letter to the press in which Senate Democrats called on Republicans to give floor time to a health-care bill introduced by Ted Kennedy. If his bill isn't put on the Senate calendar in July, Kennedy says he'll attach it to every piece of legislation that comes to the floor. When Kennedy employed this tactic in 1996, he not only tied up the Senate for months, he also secured passage of his bill to increase the minimum wage. This year, he's upping the ante by trying to recruit the actress Helen Hunt, whose diatribe in *As Good As It Gets* is credited with stirring anti-HMO sentiment, to campaign for his favored reforms.

> AN ARRAY OF PUBLIC-OPINION POLLS REVEAL WIDESPREAD CONTENTMENT WITH HEALTH CARE, EVEN WITH MANAGED CARE.

Daschle predicts there will be "huge political repercussions" if the GOP fails to act on health-care reform this year, but he recently assured reporters that it's "far more important" to pass some sort of reform than to exploit health care in the campaign. This is disingenuous. An hour after the GOP task-force report was released, Daschle dismissed it as "recycled rhetoric that will do one thing: give [Republicans] political cover." Similarly, Kennedy charged Republicans with producing an "insurance-industry protection act." Richard Gephardt, the House Democratic leader, while conceding that he hadn't seen the details of the Republican proposal, still labeled it "counterfeit"—a "fig leaf" and a "toothless subterfuge."

So will there really be the "huge political repercussions" Daschle predicts if Republicans don't act on health-care reform this year? An April Pew poll found voters trust Democrats more than Republicans on health-care issues by 53 percent to 25 percent, and GOP pollster Frank Luntz has been advising Republicans not to be too closely aligned with the managed-care lobby. Rep. John Linder, who heads the House GOP campaign committee, acknowledges that health care is "an easy issue to demagogue" and that "Democrats are very good at that." Yet the issue "is not real high" on his list of worries.

The recent special election to fill a House seat in New Mexico is instructive. The Democratic party repeatedly aired a television ad criticizing the Republican candidate, Heather Wilson, for opposing a mandate that insurance companies cover at least 48 hours in the hospital for new mothers. "Tell Heather Wilson," intoned the ad, "to stop putting insurance companies ahead of our families." But GOP officials say the ad never gained any traction, and they felt no need to respond.

This view is backed up by an array of public-opinion polls revealing widespread *contentment* with health care. An August 1997 ABC News poll found 92 percent satisfaction with traditional fee-for-service care and 88 percent satisfaction with HMOs. Nor is health care the pressing issue it once was. While Gallup found in January 1994 that 31 percent of respondents cited it as the most important problem facing the country, just 6 percent do so today. Other polls show skepticism concerning the government's ability to improve the delivery of health care. Karlyn Bowman, a polling expert at the American Enterprise Institute, predicts "it will be difficult to make health care a winning political issue in November."

So will Republicans, in the face of Democratic mudslinging, have the backbone to stand firm? Norwood will make a big push for passing some sort of legislation. This will make life difficult for Gingrich, who is disinclined to act. Congressional Democrats, meanwhile, will raise the bar high so as to keep the issue alive. The wild card is the White House, which sounds more interested in a deal.

At the press conference where Daschle, Kennedy, and Gephardt decried the GOP task-force report, Alexis Herman, the secretary of labor, was more subdued, saying the Clinton administration was "pleased the Republican leadership has recognized the need for action." She also expressed hope there could be a "bipartisan bill." This might tempt Republicans to look for a compromise. But with the task force's recommendations defining their position, and with no apparent public demand for sweeping reform, Republicans may decide that sticking with what they've got is as good as it gets. ♦

Back into the Melting Pot

The Welcome Effects of Latino Immigration

By Michael Barone

While the more euphonious "Latinos" is heard often in California and sometimes in Texas, the Census Bureau prefers the clumsy word "Hispanics" to describe them—the people descended from the European colonists, American Indians, and African slaves in Spain's former possessions in the New World.

And there are today 29 million of them in the United States, more than one in ten people. Soon there will be more Latinos than blacks. Of Americans over thirty-five, 7 percent are Hispanic; of those under thirty-five, 13 percent are. Given continuing high rates of immigration and intermarriage, it is likely that within fifty years more than one in five people in the United States will be of Latino descent.

Obviously they will do much to shape America in the twenty-first century. Yet most Americans know little about America's Hispanics, and much they think they know is wrong. Nor do the experts always get things right—which should not be surprising, for the rush of Latinos since the Immigration Act of 1965 was almost entirely unpredicted.

Indeed, Hispanics and immigration were completely ignored in what remains the most influential expression of elite thinking on minorities: the report issued in 1968 by the Kerner Commission on Civil Disorders. In its most famous formulation, the *Kerner Report* claimed that we were moving toward "two societies, one black and one white—separate and unequal." The claim, it turns out, was factually wrong: As Abigail and Stephan Thernstrom point out in their magisterial *America in Black and White*, blacks are more integrated and affluent today than they were in 1968, just as they were more integrated and affluent in 1968 than in 1940.

AP Photo / Mark Lennihan

Schoolchildren marching in a parade in Spanish Harlem.

But the claim was also historically wrong, massively understating American diversity. Ethnically, religiously, and regionally, there have always been many more than two Americas, and Americans have, for the most part, been able to live together and build the most tolerant, affluent nation in the history of the world.

The *Kerner Report*, however, swept all history aside as irrelevant. There are only the white majority and the black minority, and the nation's chief problem is racial discrimination. Since it cannot rely on the market economy, the minority needs something like socialism to prevent crime and rioting. Government must provide a guaranteed income either by creating public-sector jobs or (in the innovation of the Nixon administration) guaranteeing private-sector jobs through racial quotas and preferences.

When the *Kerner Report* was issued, no one thought to look at Latinos: They weren't rioting and made news only with Cesar Chavez's migrant-worker strikes. But Latinos

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were added in the 1970s to the civil-rights statutes at the initiative of Barbara Jordan, who noticed that her congressional district in Houston had a rapidly growing Latino population. And the assumption was made that Hispanics—like the other newly defined categories of Asians and Pacific Islanders and Native Americans, Eskimos, and Aleuts—were pretty much like blacks: Discrimination is the problem, and welfare and quotas the only alternative to crime and riots.

All of these assumptions about Hispanics are refuted in Roberto Suro's new *Strangers Among Us: How Latino Immigration Is Transforming America*. A reporter who has covered a wide variety of beats for the *New York Times* and *Washington Post*, Suro grew up the son of a Puerto Rican father and Ecuadoran mother in the Maryland suburbs of Washington, speaking Spanish at home and English everywhere else. In *Strangers Among Us*, he gives beautiful, vivid pictures of how today's Latinos live: the Mayas in the garden apartments of Houston's Gulfton, the Dominicans in New York's Washington Heights, the banda dancers on Los Angeles County's Firestone Boulevard, the border patrol of Operation Hold the Line in El Paso, the denizens of the drug culture in Los Angeles's MacArthur Park.

Largely absent from *Strangers Among Us* is evidence of discrimination against Latinos. They have no trouble finding jobs: Hispanic males have the highest work-force participation of any statistical category. They work hard and well, with painstaking thoroughness and devotion to duty. Indeed, many employers discriminate *in favor* of Latinos: Suro quotes one employer who prefers to hire new immigrants from the same Mexican town as his current workers, because he knows they will show up and work hard.

Nor are racial quotas a great advantage. Suro cites a young Latino police sergeant in Houston who dislikes quotas and preferences: "The white guys at the station say we don't got what it takes to compete and that's why they made special rules to let us score high enough. I think we put ourselves at a disadvantage. I think we are just making excuses for ourselves and the Anglos know it."

And he quotes an older sergeant's dissent: "Look, you don't know because you weren't here, but it used to be that they played all kinds of games to hold us down. They had height requirements to keep us off the force. They screwed around with promotion lists, with work assessments, with everything. We had to fight to get the first Mexican sergeants and the first detective and the first everything."

Roberto Suro
Strangers Among Us
How Latino Immigration Is Transforming America
Knopf, 352 pp., $26.95

But of course the younger sergeant is right, and the older sergeant's past irrelevant: If quotas and preferences were removed, the Houston police department would not go back to the 1950s. Skin color is not the disadvantage it once was. George Garcia in East Harlem tells Suro that his wife Lucy has better chances of rising at work because she doesn't look Latino, but Lucy herself disagrees: "You look down at the corner at the guys you used to hang around with who are dealing crack and shooting people and there are some lighter than you are and so you know damn well that's not what makes the difference. There are winners and there are losers and that's all there is. You go one way or the other. You choose."

For thirty years, blacks—as if bound by the predictions of the *Kerner Report*—have tended to bet on the public sector, seeking jobs from the government and big corporations subject to quota pressure. But government and big business have not been the growth sectors of the economy. Latinos have looked largely to the private sector and small employers for jobs, and they have bet on the winners.

To be sure, many of these jobs, especially for newcomers, are low-wage, some heartbreakingly so. Illegal immigrants often work for subminimum wages and in appalling conditions, unable to protest, and—as Fred Siegel argues in *The Future Once Happened Here*, his study of the American city—heavy immigration may be driving down wages in some places. Overall Hispanic wages are only 57 percent of the American average.

But with multiple jobs and multiple earners, Hispanic household incomes are 73 percent of the national average, and for most immigrants this is a huge step forward. There were 863,000 Hispanic-owned businesses in 1992 and the count for 1997, not yet released, will be well over one million.

Hispanic crime rates remain well below black crime rates, and Suro makes the original and interesting point that Latinos in the 1990s have been much less likely to riot than to conform. In 1992 Central Americans did rage through Los Angeles's South Central and Koreatown neighborhoods. But in heavily Hispanic East Los Angeles, the streets were vigilantly patrolled by residents and remained quiet, and no significant rioting occurred in Latino neighborhoods in the San Gabriel or San Fernando Valleys. No demonstrations accompanied Operation Hold the Line, the border patrol's 1993 crackdown in El Paso; indeed, the INS official who planned the operation, Silvestre Reyes, was elected to Congress by a majority-Latino electorate in 1996. Nor did Miami's Cubans much protest the Clinton administration's 1995 decision to send refugees at Guantanamo Bay back into Cuba.

In his conclusion, Suro seems to accept the *Kerner Report*'s assumptions by arguing that government

AP Photo / Denis Poroy

The U.S. Border Patrol arresting illegal immigrants from Mexico.

needs to do more to help Latinos. But his own reporting makes an even stronger case that liberal governmental programs actually hold Latinos back. Racial quotas and preferences put a stigma on their beneficiaries, and—as Suro himself points out—competition between blacks and Latinos for the diminishing number of quota places is a losing game. The real growth is taking place in private businesses, and the danger is that the taxes necessary for even a small public-sector growth will stifle the private sector. Suro shows how the failure of high-tax, high-regulation New York to generate new jobs has hurt Puerto Ricans and Dominicans there. California's lower taxes and Texas's very low taxes have served Latinos better.

The fact is that Hispanics seem mostly to want to be treated not as a minority, but merely as U.S. citizens. They have been injured by the public schools in thrall to the teachers' unions, professors of education, and government bureaucrats. Bilingual education—the holding of children in Spanish-language instruction for years—was repudiated on June 2 by California's voters. But whole language, new math, and other educational nostrums work against Latino children who desperately need basic learning. Light prison sentences and desultory police patrolling have made Latino neighborhoods more dangerous than they need be and have held down housing values (the chief source of personal wealth for most Hispanics). Urban renewal destroyed Puerto Rican neighborhoods in New York in the 1950s, and crime-ridden public housing remains a threat in the 1990s. Welfare programs encouraging dependency threaten to weaken traditionally strong Latino families.

LATINOS ARE ADAPTING DESPITE THE POLICIES OF THE *KERNER REPORT*, WHICH FORTUNATELY SEEM TO BE WANING.

Fortunately, these policies are being changed. Welfare reform, starting in Governor Tommy Thompson's Wisconsin, and new police tactics, notably in Mayor Rudolph Giuliani's New York, are now sweeping the country. Crime rates and welfare rolls over the past four years have been decreasing as steeply as they increased during the awful decade from 1965 to 1975. Poor educational polices are being challenged by a dozen different reforms, from school choice to home schooling, and something on the order of one-fifth of the nation's students in charter schools are Hispanic.

The model for what is happening with Latinos in the United States is not the 1960s of the *Kerner Report*, but the era from 1880 to 1924, when the nation successfully handled an even larger number of immigrants. Suro wisely takes note of the New York ethnics portrayed in Nathan Glazer and Daniel Patrick Moynihan's 1963 *Beyond the Melting Pot*. Two excellent recent books, John Miller's *The Unmaking of Americans* and Peter Salins's *Assimilation American Style*, similarly reveal the uncanny resemblance between America's present minorities and the largest immigrant groups a hundred years ago: In many important respects, today's blacks resemble the Irish of the 1890s, Asians resemble the Jews, and Latinos the Italians. Like the Irish, the blacks have a history of justified mistrust of government, a tradition of producing many criminals and many cops, and a propensity for bureaucracy and hierarchy. Like the Jews, the Asians have a background of peril, a knack for commerce, and excellent academic abilities. Like the Italians, the Latinos have a strong distaste for large institutions, a love of family, and a habit of hard work.

The analogies break down at some point, but they explain a lot and give hope for the future. It was said of the Italians, as it is said of Latinos now, that they would never abandon their culture and language, never mix with

an Anglo-Saxon democratic society, never improve their high-school dropout rates, never escape crime and lawlessness. All these predictions proved wrong. Italian-Americans now rank well above average in education and income.

Suro insists, "The melting pot was a historical event, not a model that can be adapted to a new time and place." He argues that Latinos are different because they come a shorter geographical distance and because many of them retain roots in their original homes. But many Italians retained roots in Italy, and Latino immigrants have traveled distances just as mind-boggling as their Italian predecessors: It is more than a thousand miles to Los Angeles from the Mexican states where most of the city's Latinos originated; more than two thousand miles to the neighborhood in Queens where a woman told me, "Everyone here is from Puebla."

Suro gets it better when he writes, "Many Latinos appear to be adapting to this country at a faster pace than the immigrants in *Beyond the Melting Pot*." They are adapting despite the policies and values of the *Kerner Report*, which fortunately seem to be on the wane. They will do even better if we continue to move toward the public policies and private values of early twentieth-century America—a push toward assimilation, education in basics, work-based welfare provision, tough law enforcement—while continuing to move away from the racism and bigotry of that time.

Of course, the experience of Latinos in America will not be exactly the same as that of the Italians. (Indeed, there is no uniform Latino experience, and Suro traces many of the different strands of Latino migration.) Like the Italians, Hispanics are heavily concentrated in a few metropolitan areas: Los Angeles, New York, Houston, Dallas, San Francisco, Miami. But Italians were never the largest ethnic group in any major city, while Latinos hugely outnumber other ethnic groups in some places. The area around Los Angeles has nearly six million Hispanic residents, more than the total population of most states. And though—with the advance of Latin America in democracy and market economy—immigration will eventually decline, the rush of Latinos to the United States will probably continue for some years.

What then will a more heavily Hispanic America be like? Roberto Suro's pictures in *Strangers Among Us* of Latino communities bring to life places that are lively and noisy and full of people. These are people with an exceedingly strong work ethic and a strong loyalty to family. They have gone through bewildering experiences with determination and strength. If they seem silent and stoic at work, the atmosphere on the streets is a whole lot like Little Italy a hundred years ago. We know that the Italian-Americans succeeded and contributed much of the flavor of American life. We can be confident that Latino Americans will do the same—and that just about everyone will like the result. ♦

BCA

Stealing Bobby

The Conservatism of Robert F. Kennedy

By Alvin S. Felzenberg

What is it about Robert Kennedy that continues to fascinate students and practitioners of American politics thirty years after his death?

He never became president, and he served as attorney general for only three years, from 1961 to 1964. He worked for a while on Joe McCarthy's Senate committee, but he left when he lost a struggle with Roy Cohn for the job of counsel. And when he did manage to become counsel to a later committee, it was primarily because his brother, Massachusetts senator John F. Kennedy, was a committee member.

Even his time as a senator, 1965 to 1968, was too brief to leave any legacy of legislative achievement—and he wasn't much interested in that part of the job anyway. Running in New York rather than Massachusetts, he succeeded in overcoming the "carpetbagger" issue to defeat the moderate Republican Kenneth Keating. But he ran more than a million votes behind Lyndon Johnson in a state where much of the liberal establishment opposed him.

And yet, interest in the man proceeds undiminished. A huge shelf of books have appeared in the thirty years since his assassination, and two new books show that there is no chance that we are finished hearing about him: *The Last Patrician: Robert Kennedy and the End of American Aristocracy* by Michael Knox Beran and *A Common Good: The Friendship of Robert F. Kennedy and Kenneth P. O'Donnell* by Helen O'Donnell.

Michael Knox Beran
The Last Patrician
Bobby Kennedy and the End of American Aristocracy
St. Martin's, 288 pp., $23.95

Helen O'Donnell
A Common Good
The Friendship of Robert F. Kennedy and Kenneth P. O'Donnell
Morrow, 352 pp., $26

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Kennedy's lasting contributions include some he did not intend, especially the "Bobby Kennedy Law" that Lyndon Johnson had passed in vengeful spite. It bars presidential relatives from holding high appointments and is the primary reason Hillary Clinton was never nominated for a major post.

There is some legitimate purpose to the law. Robert Kennedy may have been the minister with the widest portfolio in American history. Colonel House, who performed similar tasks for Woodrow Wilson, is his only rival. But House had a falling out with his president, an impossibility among the Kennedys. Within his brother's administration, Robert Kennedy was clearly the first among equals: not merely attorney general, but his brother's keeper, point man for everything concerning the president—which often meant the entire government.

There is also, however, a loss involved in the Bobby Kennedy Law. While journalists speculate as to who will be each new president's "Bobby," no one but a relative could hold the kind of position Kennedy had. And if Nixon had only had a decent "Bobby" around to whom he would have listened, much of Watergate might have been avoided.

Romanticism partly explains the hold Robert Kennedy still exerts. The tragedies he suffered during his life and the horror of his assassination in California in June 1968 cast a melancholy aura over his memory.

But there is another reason that those who supported and opposed Robert Kennedy—as well as those who were not even alive to do either—cannot let go of the man. Kennedy was among that rare breed of politicians willing to say and do unconventional things. His beginnings as an anti-Communist and his frequent breaking of ranks with the Democratic party made him a figure of suspicion to his liberal constituency.

He opposed the Vietnam war and acknowledged his role in initiating it. Yet he urged middle-class college students to surrender their student deferments—pointing to the parallel between deferments and the ability of wealthy northerners to buy draft substitutes during the Civil War. He antagonized the labor movement when he relentlessly exposed corruption in Jimmy Hoffa's Teamsters Union. George Meany of the AFL-CIO never forgave Kennedy for demanding to know at a Senate hearing why African Americans held so few skilled jobs in the building trades.

Kennedy was unsparing of another powerhouse within the Democratic party, teachers' unions. He may have been the first public figure to question whether increased spending improved student performance. The education lobby fought his attempt to link federal funds to measurable improvements as strenuously as they resist vouchers, school choice, and opportunity scholarships today.

Sometimes, his stands were politically driven. The dynamics of the coalition he built in preparation for his run for the presidency in 1968—uniting the old Democratic constituencies of blue-collar workers with the new constituencies of inner-city blacks and student war protesters—prohibited a race policy of "quota hiring" at the bottom and "diversity appointments" at the top. Liberals correctly cite President Nixon's Philadelphia Plan as proof that it was a Republican administration that gave birth to affirmative action. But one of Nixon's purposes was to break up Kennedy's coalition—and the Democrats' nomination of George McGovern in 1972 is proof that it worked.

Most of Kennedy's controversial stands, however, were not calculated to win votes or accommodate public opinion. Many did just the opposite. Where Hubert Humphrey felt comfortable campaigning in union halls and addressing established civil-rights organizations, and Eugene McCarthy found his niche among intellectuals, middle-class suburbanites, and "reform" Democrats, Kennedy toured the Mississippi Delta and Appalachia, participated in an open-air mass with Cesar Chavez, and made his way to barrios, ghettos, and Indian reservations. He routinely called upon community activists before he visited mayors.

Bobby Kennedy

Kent Lemon

At the same time, Kennedy was the last Democrat to appeal to working-class Catholics—a pivotal swing vote today. Now known as "Reagan Democrats," they were a crucial part of Nixon's "silent majority." Political pundits still debate how many of these Kennedy supporters voted for George Wallace in 1968 after Kennedy's death. In a book of his father's favorite quotations, *Make Gentle the Life of This World*, Kennedy's son Maxwell Taylor Kennedy claims that "virtually all of the Democrats who supported George Wallace had previously been RFK Democrats."

That is a bit of a stretch, but RFK voters did help decide who won many states that year, and his murder hastened the exodus of white ethnic voters from the Democratic party. Newt Gingrich has argued that the deaths of Martin Luther King and Robert Kennedy left the Democrats without anyone who had the "moral authority to disavow the most radical elements within the Democratic Party"—and left the Republicans complacent, without any need to experiment with new ideas. Kennedy's candidacy, Gingrich thinks, might have challenged Republicans to devise in 1968 dynamic responses to the failure of the welfare state—as they would in 1980 under Reagan.

In *The Last Patrician*, Michael Beran sees Kennedy as the last of the "Stimsonian statesmen"—the figures who made American foreign and domestic policy for decades. It was they who made a reality of Henry Luce's prophecy that this would be the "American Century." David Halberstam called them the "best and brightest." They were our patricians—well bred, well spoken, and educated exclusively at the eastern prep schools and Ivy League colleges—and Henry L. Stimson, who entered government service under Theodore Roosevelt and exited under

Truman, is the prototype of their caste.

Beran accurately describes the retreat of this American aristocracy late in the nineteenth century—though he blames it on the rise of the robber barons (who created the wealth the Stimsonians would later try to redistribute). The Stimsonians returned to center stage as the supporting cast in the melodrama that went by the name of Theodore Roosevelt and retained their hold for nearly a century, entrenching themselves as a permanent policy-making apparatus.

Among the things they feared was participatory democracy. Their replacement of political appointees with civil servants, reliance on "professionals" and "experts," and preference for bureaucratic decrees over actions by elected officials were hardly populist or even democratic. But rather than antagonize the voters as their Federalist predecessors had done, they presented themselves as the champions of the common man. They justified top-down, bureaucratically administered programs as attempts to assist the forgotten and the poor.

Beran is at his best when he assesses the Stimsonians' most enduring legacy of an expanded federal government. He recounts how they staffed every administration this century, moving back and forth among Wall Street law firms, universities, and think tanks. He relates how this group acted, often in secret, to influence national affairs. He brings to life that all but defunct Washington institution, the Georgetown dinner party. Readers see Averell Harriman turning off his hearing aid to avoid listening to the young Richard Nixon and watch columnist Joseph Alsop (himself a grandnephew of Teddy Roosevelt) anoint John F. Kennedy the new head of this exclusive fraternity.

All previous bards of the Kennedy saga tell how Joseph P. Kennedy set out to win for his sons admission to this selective club. But Beran thinks the old man may have made a mistake. He argues, most persuasively, that by the late 1960s, the Stimsonian approach to public service had become a spent force. It had produced failure in the jungles of Vietnam and on the streets of American cities. Robert Kennedy sensed this and was among the first to break away.

In his quest for new solutions, Kennedy the liberal began applying conservative and entrepreneurial remedies to social ills. Perhaps this explains the popularity of Beran's book among the Washington think-tankers and congressional staffers. Kennedy favored tax incentives for attracting investment and jobs to poor neighborhoods. His proposals for the Bedford-Stuyvesant section of Brooklyn set the precedent for both Jack Kemp's "enterprise zones" and Al Gore's "empowerment zones."

"I GET THE FEELING I'VE BEEN WRITING SOME OF HIS SPEECHES," RONALD REAGAN SAID OF ROBERT KENNEDY.

Traditional liberals at the time hated Kennedy's proposals, but conservatives took notice. "I get the feeling I've been writing some of his speeches," said California governor Ronald Reagan. William F. Buckley praised the senator for stealing an idea he had advanced in a newspaper column. Kennedy thought he could help depressed areas by channeling resources through local, community-based organizations rather than government agencies, and his plan for Bedford-Stuyvesant bears a close resemblance to the Community Renewal Act of 1998—which a bipartisan but primarily conservative group of senators and congressmen has introduced. Twenty-eight years before Congress ended the "Aid to Families with Dependent Children" welfare program, Kennedy was attacking a system that made the absence of fathers a precondition for assistance.

Kennedy's willingness to differ from his fellow liberals Beran attributes to the senator's reading, reflection, and exposure to suffering and pain. In his last years, Kennedy came to see the strength of the "self-reliance" Emerson preached and Lincoln exemplified. Where Clinton (who claims to have been inspired by Kennedy's example) and today's liberals oppose school choice on the grounds that it would assist "only a handful" of students, Kennedy reminded audiences that if society could not help all children, it could at least alleviate the suffering of some.

While neither as bold nor as original as Beran, Helen O'Donnell in her new memoir tells anecdotes that support some of Beran's conclusions. The two authors agree that however close Robert and John Kennedy were by blood and political alliance, they were emotionally and temperamentally as unlike as two brothers could be. For close male bonding, Kennedy turned to Helen O'Donnell's father, Kenneth, a Harvard classmate of working-class origins. In telling her father's story, she transforms him from the Camelot courtier who appears as a walk-on in most Kennedy books to a figure of substance and influence.

The Robert Kennedy of her book, however, is at last merely another conventional liberal icon. The author's own brand of activist politics blinds her to what her own stories reveal. There are many reasons people remain fascinated by Bobby Kennedy: nostalgia, romanticism, the idolatry of all things Kennedy, the almost Sophoclean tragedy of his life and death. But another reason is something that disappeared from American politics for a dozen years that June day he was shot down: the ability to question initial assumptions. ♦

All That Money Can Buy

The Book of Job on the Riviera

By Noemie Emery

Gerald and Sara Murphy, born wealthy well before the turn of the twentieth century, lived long and richly varied lives: Gerald dying at age seventy-six in 1964, Sara eleven years later at ninety-two. But the reason for their fame rests almost wholly on the years from 1921 to 1929 that they lived in France—in Paris and Antibes, the Riviera resort they helped to make famous, but really inside a dream. It was a dream made up of beauty, youth, love, money, and genius, which, if it was not too good to be true (and it was true enough while it lasted), was still too good to be true for very long.

Amanda Vaill
Everybody Was So Young
Gerald and Sara Murphy—A Lost Generation Love Story
Houghton Mifflin, 480 pp., $30

The will and grace with which they created and maintained this fantasy is what gives their story its magic, and its vulnerability is what gives it a tragic and even noble air. Both the fantasy and the ruin are balanced beautifully by Amanda Vaill in *Everybody Was So Young*, her new and tender evocation of the Murphys and their world. Ostensibly about beautiful people living and grieving in elegant places, it turns out also to be about things more basic: art, talent, and friendship; the power and limits of style and money; man's quest to control his life and his anguish when he finds that he cannot.

Heirs to great commercial fortunes who, of course, disdained commerce, the Murphys saw themselves as partners in a new and special sort of enterprise in which life would be itself an artistic masterpiece. Married in 1915, they had three children and wandered through America and Europe in search of the proper setting, finding it at last almost by accident in France in 1921. There, on a Paris street, Gerald happened upon a gallery filled with modern art and had his own *coup de foudre*: always a dabbler in artistic byways, he was fired to study and paint. It was art and money together—the sensitivity and intelligence to attract talented people, and the funds to entertain them royally—that opened up a new world.

In short order, the Murphy's had become friends with Fernand Léger and Pablo Picasso, with Archibald MacLeish and his wife, Ada; with Ernest Hemingway and his first wife, Hadley; with Scott Fitzgerald and his only wife, Zelda; with Robert Benchley and Dorothy Parker; with Philip Barry, the playwright of the rich and mighty, who put the Murphyesque style on stage. Through these, the Murphys found their way into much of the art of the early twentieth century: Picasso's sketches and Barry's plays, Hemingway's writing (sometimes malicious), and Fitzgerald's elegiac *Tender Is the Night*.

In 1923, Cole Porter, whom Gerald had known since they were at Yale together, asked the Murphys to join him for a week's vacation at Antibes on the south coast of France near the border of Italy, then all but deserted in the summer. Porter and Murphy raked the weeds off the beach, persuaded the hotelier to stay open in summer, and created a resort sensation. In 1924, the Murphys bought and redid a great house they called the Villa America that became the center of their personal universe. To this, they drew all of their friends from two continents and created an idyll that glimmers in retrospect: where beautiful people bathed in blue water, artists relaxed from their noble endeavors, and golden children tumbled in shining white sand. This was the apogee to which they were building. This was the height of their life-long ambition. This was as good as it got.

What the Murphys possessed was that indescribable thing known as personal magnetism. Fitzgerald, Hemingway, and Picasso were in love with Sara, a beauty whose presence was evoked by MacLeish in a poem as *something that in a woman you would call / Her reticence, by which you'd mean her power / Of feeling what she had not put into words*. She was the warm heart behind the endeavor; Gerald the discerning eye.

He was a surprisingly good painter, but Gerald's real genius was his gift for orchestrating a setting and atmosphere. At Yale, Vaill writes, he devoted himself "to what his class historian referred to as the 'aesthetic side' of undergraduate life," becoming known as someone with "a talent for arranging things." What he was "arranging" was a small, perfect universe under a dome built of money and style, in which he and his circle could operate—a charmed life cemented with many small rituals: the formal rite of the mixing of cocktails, the mid-morning sherry and dry biscuits on the beach.

Those touched by his magic would never forget it. In his first notes for *Tender Is the Night*, Fitzgerald wrote of his wish to capture a background "in which the leisure class is at its truly most brilliant and glamorous, such as the Murphys," and added of Gerald: "His step was quick and alert as if he

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had just come from some great doing and was hurrying on toward others. Organizer of gaiety, master of richly incrusted esoteric happiness, … [he] thought what a good time everyone would have who was with him."

And the good times were legion. But what no one seemed to notice was the grimness that lay beyond them, the dark things they were meant to avert. The world Gerald constructed had its own secret purpose: to force *his* own values on life. Prone to dark Celtic moods that his friends called his "Black Service," he distrusted fate. "My terms with life have been simple," he wrote MacLeish. "I have refused to meet it on the grounds of my own defects for the reason that I have bitterly resented those defects since I was fifteen years of age. . . . My subsequent life has been a process of concealment of the personal realities—at which I have been all too adept."

These defects—involving an attraction to men, which he seems not to have acted upon—were enough to increase his suspicion that life was a thing not to be trusted. Thus the great need for invention and art, for the contrived and almost forced celebration, for the "festival" concept of life. What was a celebration for Sara was a defense for Gerald, created in a mood of despair and defiance. As he told Fitzgerald, "The *invented* part, for me, is what has meaning. . . . Only the invented part of life is satisfying; the unrealistic part." The panoply of the Murphyesque was a defiance of life and a buffer against it: the decoration and ornament, the parties and treasure hunts, the inventive and elegant houses, the little rituals of the beach and the bar stool, the presents, the "richly incrusted esoteric happiness."

THE MURPHYS' STYLE OF ELEGANT LIVING WAS A DEFIANCE OF LIFE AND A BUFFER AGAINST IT.

The golden age of the Murphys lasted no more than six years. By 1928, vacationing crowds had begun to encroach on their Riviera paradise, professional and sexual tensions had begun to cause trouble, and the uninvented side of life—the part they could not control or regulate—had begun to intrude. Hemingway's marriage ruptured, Zelda went crazy. In October 1929, the stock market crashed, putting an end to the easy free spending. And that same month, Patrick, the youngest and frailest of the three Murphy children, was

found to have tuberculosis in one lung.

At once, the household moved to a mountain in Switzerland, in an attempt to recreate, in what now was a sickroom, the glowing ambiance it had achieved in Antibes. There were the witty friends (Dorothy Parker among them), the costumes and games, the drinks before dinner, the parties for children and animals, the flowers, the books, and the films. But it was, as Vaill writes, "almost a parody of the Villa America."

Gerald stopped painting, his drives subsumed entirely in his son's deadly struggle. "He works every minute," said Dorothy Parker. "All the energy that used to go into compounding drinks and devising costumes and sweeping out the bath houses and shifting the sand on the plage has been put into inventing and running complicated . . . sick-room appliances, and he is simply pouring his energy into Patrick, in the endeavor to make him not sick."

Eventually, the Murphys would sell the Villa America and return to New York. Gerald would take the job running Mark Cross that he had once rejected, and revive the company. And in March 1935, Baoth, the "healthy" son, caught measles in boarding school. It became meningitis. He died in two weeks. The brutal insolence of this second blow—a stunning, sudden death to match the slow death by inches—stunned everyone. Six months before Baoth's funeral, the Murphys had learned that Patrick's illness had spread to his good lung, and his death was now certain. It was doubtless this Sara was thinking of when she ran from the church out on to Park Avenue and, in a gesture that MacLeish would always remember, raised up her fist and cursed God.

They would never recover from this redundant disaster. "She is—and always will be—inconsolable," Gerald wrote about Sara. For himself, he had nightmares in which both boys were dying, over and over. "Will one's heart never touch bottom?" he demanded. For both the Murphys and their friends, it was the sad end to "those tragically ecstatic years," as Zelda Fitzgerald described them, "when the pockets of the world were filled with pleasant surprises, and people still thought of life in terms of their right to a good time."

Houghton Mifflin

Gerald and Sara Murphy on the beach in 1926

For Gerald, it was a loss of a still more personal order: the end of his battle to conquer the forces of fate with style and impose his own order on life. Life won, checkmating order and beauty. "Life itself has stepped in now and blundered and scarred," he wrote to Fitzgerald. "How ugly and blasting it can be—and how idly ruthless." He now seemed only to want to endure, not prevail. To Sara, who was indifferent to a rest cure she had gone on, he wrote, "I know it doesn't seem very important in the face of what happened whether we take care of ourselves or not. But as long as we *must* live, we might as well feel as well as we can. It will probably help to give others a better time."

And a good time they continued to give other people, though of necessity less exuberant, shadowed by what Zelda would refer to as a sense of "happiness already had." There were houses to buy and decorate, entertaining to do, friends to see, stands to take, and events to keep up with. In 1941, Gerald would shock other merchants by filling Mark Cross's display windows with photographs of bombed British cities and exhortations for America to join the war. They took pleasure in their friends, their daughter Honoria, and her three children (a girl and two boys). Never did they lose their flair, or their instinct for the stylish gesture. In all her grief, Sara could not stop herself from making Gerald's funeral into a perfect small social occasion. "What a lovely party," people said.

Scott Fitzgerald had died in 1940, with his reputation at its nadir, and interest in the golden people of the 1920s at an all-time low. Then, in the 1950s, his revival began, and, thanks to the books about the Fitzgeralds, interest in the Murphys also grew. There was a *New Yorker* profile that

became a small book. There were several shows of Gerald's paintings. The biography *Zelda*, published in 1970, focused new light on the Murphys. When Sara died five years later, it was a major story in the *New York Times*. In 1982, their daughter Honoria cowrote a book about them. Now there is Amanda Vaill's *Everybody Was So Young*. And the flow seems unlikely to stop.

When the revival began, Sara expressed reservations about being known as someone who had known other people, but there seems to be more to it than that. Part of it is the attraction of style—the eternal pull of taste backed by money, which made a public obsession of Jacqueline Kennedy, and made Ralph Lauren a very rich man. (Ralph Lauren's ads are all glittering pictures of the Murphyesque life.)

But the Murphys are in fact riddled with larger questions about style and spirit, class and money, inherited and inherent worth. "It was not just a glittering, shiny surface. It was a platonic ideal, a way of looking at the world, and a manner of living," wrote Gerald Clarke in his 1988 biography of Truman Capote—another artist hung up upon manners and money. "Money could not buy it, but real style, the grand style he prized most, was nonetheless impossible unless it was watered daily from a deep well at a prominent bank."

In a meritocracy, the Murphys are hard to admire, for their hallmark style was enabled by money they did not earn. On the other hand, they seemed to spend it with generosity and without ostentation: enlarging the horizons of themselves and others, bailing friends out of terrible trouble, financing the careers of a great many artists, trying to buy health for their sons. Not having worked for their wealth when they got it, they tried to earn it in retrospect, to deserve it by the ways it was spent.

In a sense, the Murphys' lives are proof of just how much money buys. The more money you have, the more you can control your surroundings; the more beautiful you can make the settings around you, the more you can avoid the bleak and disturbing. The Murphys controlled almost everything they did. They always worked hard, but they chose what they worked at, and they could always choose where they were—which was invariably some choice piece of real estate: the French Riviera, the best parts of Paris, pleasant places on Long Island, the upper East Side of New York.

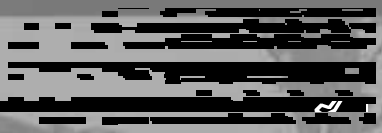
But in another sense, the Murphys' lives are proof of the limits of money. At the heart of their effort was Gerald's intention to take life, not at its "*own* tragic value" but at *his*. "Only the invented part of our life—the unreal part—has any scheme, any beauty," he said to Fitzgerald. Scheme and beauty were what he wished to impose. It was a contest between his and life's values. It was a war between Gerald and God.

It is this tragic sense that lifts them from the pages of *House Beautiful* and into the realm of high drama, of hubris and nemesis, of mortals who dared to fight fate. It is all too tempting to look at this book on this level as a second telling of the Fall: The Murphys concocted their insular idyll; reality, annoyed, reasserted its powers (in the only place, Gerald said, in which they were vulnerable); and reality, appeased by their unending grace under pressure, relented.

If the scenery is out of *Town & Country*, the plot is out of the Bible. It is no wonder that MacLeish based *J.B.*, his play retelling the story of Job, on the trials of his friends and the moment at which Sara cursed God. Armed with all the best weapons that humans can muster—taste, money, intelligence, style, love, and a genius for friendship—the Murphys came to France determined to create a little Eden, based on the order and beauty they found lacking in life. For a brief, golden moment, they made it happen. But not, as it proved, long enough. ♦

CNN reporter Peter Arnett offers to go to Vietnam in a desperate effort to find evidence to back up his story that the U.S. used nerve gas there in 1970.

—News item



NewsStand: CNN & TIME

Never Boring, Sometimes Accurate

Memo

From: Walter Isaacson/TIME

To: Peter Arnett/CNN

Thanks so much for your note with all those story ideas. Sorry it's taken me a few days to get back to you. I've been really busy recently planning the seating arrangements for TIME's 100th birthday party (it's March 9, 2023—save the date!), and I haven't been able to focus on much else. Before I get to your specific proposals, I just want to reiterate that I believe the relationship between TIME and CNN is just going to work out wonderfully. Together, we truly will be "the news leader."

As for your offer to go to Vietnam to find evidence of U.S. nerve-gas use, I think this illustrates some of the teeny-weeny cultural differences we're going to have to work through to make this TV-print partnership work. You see, here in the print world, we tend to report the story *before* we publish it, not afterwards. That way we can try to determine if it is true *prior* to publication. Now that we are colleagues (we here at TIME prefer the word "colleagues" to "comrades"), we are going to have to merge our methodologies. For example, in print journalism the fact that you heard a rumor from both Ted Turner and Jane Fonda doesn't count as double-sourcing.

As for your proposal to co-produce a series of documentaries with Pierre Salinger, that certainly is intriguing—and, no, I've never really looked into the connection between the CIA and the "Bridge Freezes Before Road Surface" phenomenon. But I think we'll pass, as we will on your "The Kurds Had it Coming" idea, despite your no doubt excellent connections to the highest levels of the Iraqi government. I'm thrilled also that you've formed such a close working relationship with producer April Oliver, but I think you might mention to her that we stodgy folks in the print media tend not to accept the following phenomena as libel-proof evidence: recovered memories, channeling, Ouija boards, tea-leaf reading, cat-gut reading, reincarnation testimony, and voodoo-induced free association.

So to sum up, this is going to be a fantastic relationship. As Rick Kaplan noted when we all had lunch the other day (thanks for your war stories—I've never seen 7 hours go by so quickly), CNN brings a lot to the table in our relationship. It has a loyal following among Rahm Emanuel, Sidney Blumenthal, Ann Lewis, and literally dozens of others. We here at TIME are thrilled to have you guys on board. So I suggest you focus your laser-like attention on doing pre-reported bits for "Talk Back Live," and we will call you the very next time we think we should work together on a story. I promise.