

# Political Booknotes

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## **The Serpent on the Staff**

*Howard Wolinsky and Tom Brune*  
*Jeremy P. Tarcher/Putnam, \$24.95*  
**By Jeffrey H. Birnbaum**

President Clinton has been pretty tough on lobbyists. In 1992, he promised to break their "stranglehold" on Washington, and one of his first acts as president was to ban his appointees from lobbying their agencies for five years after they leave government. Now Clinton is pressing for campaign finance and lobbying disclosure reforms that have a decent chance of passing.

But what he is not doing is ending the influence of influence peddlers. To the contrary, in many important ways, Washington is even more lobbyist-friendly now than it was when Clinton came to town.

One of the great truths of life in the capital is that change in any form creates more business for lobbyists. And Bill Clinton is stirring the pot hard and fast in a way that is especially profitable for the lobbying industry. Clinton is an activist president who believes in an activist government. This combination means big-paying corporate clients have a lot more to fight for—and to protect themselves against—and that translates into more work for lobbyists.

Take the president's health care legislation. Conceptually, it is as populist a proposal as has been floated in years. One of its chief aims is to provide health coverage for the 37 million Americans who aren't covered now. But to do so, some of the nation's richest and most powerful

interests, such as drug companies and physicians, will have to change. As a result, health care is likely to be the most lobbied bill in history.

Even the anti-lobbying president knows this and, despite his rhetoric, is including lobbyists in his plans. He put three former lobbyists in his cabinet. And like previous presidents, Clinton has an entire division of his White House devoted entirely to keeping lobbyists, and the interests they represent, in line. It's called the Office of Public Liaison. One of this department's chief targets this year, as in almost any other year, is the nearly 300,000-member American Medical Association (AMA).

The AMA is the subject of an informative new book called *The Serpent on the Staff*, by *Chicago Sun-Times* reporters Howard Wolinsky and Tom Brune. The authors start off with a promising—and interesting—depiction of the way the AMA got and holds onto its influence in Washington. Unfortunately, this line of analysis dissipates as the book moves along. Where it does continue, it relies too heavily on campaign contributions as its basis; there is much more to the doctors' lobby than that.

Still, *The Serpent on the Staff* opens another window on the way interest groups work in Washington, and that always brings a welcome breeze.

The title is a reference to the AMA logo, the ancient symbol for medicine: a snake twined around a knotty staff. The phrase also conveys the authors' sense that all is not well with

the politics of the AMA. From their point of view, the association does not lobby for the interests of patients or medicine in general but for the personal interests of doctors. That, they point out, is a big-money business indeed.

The Clinton administration struggled mightily to work with—or around—this major league lobby. At first, the Clintons courted the AMA; Hillary Rodham Clinton even addressed one of its meetings. But in the end, the AMA became just another special-interest road block, repeating its long established pattern of opposition to reform which began when Theodore Roosevelt first proposed national health care only to find America's doctors furiously opposed.

In the old days, this hostility was enough to kill almost every attempt at health reform. The one exception was Medicare in the 1960s. This lobbyist-savvy White House is now trying to make a second exception out of the Clinton health care plan. It is doing so by trying to divide the medical establishment against itself in order to defeat it. This is a thoroughly modern strategy that takes advantage of the increasingly diverse lobbying world of Washington.

*The Serpent on the Staff* makes a brief but telling mention of this effort. In December 1993, it notes, Clinton held an event at the White House to counter the AMA. At the rally, 10 doctors' organizations, representing more physicians than the AMA's membership, expressed their

support for the Clinton plan. One official, Rosi Sweeney of the American Academy of Family Physicians, noted, "The AMA doesn't speak for the entire medical community."

In a wider context, the story of the Clinton White House and the AMA is typical of contemporary interest-group politics. Indeed, while the president is likely to complain about lobbyists and "special interests" from time to time, behind the scenes he is careful to work closely with them. Lobbying is a permanent and pervasive force and, in many ways, is key to the outcome of any piece of legislation, especially one as big and important as an overhaul of the entire health care system.

Another example of this is Clinton's fight with the insurance industry. By all outward appearances, Bill and Hillary Clinton could not dislike any industry more. The First Couple has railed against insurance company greed and blustered about its bloated bureaucracy. But back at the White House War Room, it is well understood that there are good insurance companies and bad insurance companies. Some—the five largest ones—actually like the bulk of the Clinton plan. But mid-size insurers don't, and they are funding the famous "Harry and Louise" commercials that have caused the Clintons such grief.

Another reason that the White House must keep track of what interest groups and their lobbyists are doing is communication. One of the Clintons' biggest problems in selling their health plan has been that groups like the Health Insurance Association of America and the AMA have done a better job than the White House in defining what Americans think of the proposal.

In any case, learning more about what lobbies do, and how the White House reacts to them, is an important part of understanding how laws are made and implemented. *The Serpent*

*on the Staff* is a helpful addition to this quest, and nowhere more so than with this fact: "Not only does the AMA have one of the biggest-spending PACs in the country, but it also owns the building that houses the only federal agency charged with monitoring PACs and campaign contributions"—the Federal Election Commission.

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### **The Confirmation Mess**

*Stephen L. Carter*

*Basic Books, \$20*

**By Ross K. Baker**

Stephen L. Carter has received much favorable attention lately for his book *The Culture of Disbelief*, a lament over the disappearance of religion from American political discourse. The country's most prominent Protestant layman, Bill Clinton, bought Carter's book in Martha's Vineyard last summer, kept it near his desk in the Oval Office, and mentioned it on several occasions. But it is always difficult to find out whether presidents actually read the books they conspicuously talk about. I remember a story that James MacGregor Burns told about meeting with Jimmy Carter after the president had publicly praised Burns' book on leadership. In the course of the conversation, it became quite clear to the author that Carter either had not read the book or (perhaps worse) that the president had read it but totally missed the point. This is an enduring problem, for to be known as a reader of writers such as Reinhold Niebuhr, John Rawls, or Robert Nozick seems to make politicians feel that they are men of many parts. I once worked for a senator who was asked what his favorite novel was. *The Best and the Brightest*, he replied.

When a book receives a president's public endorsement, however, it tends

to be taken fairly seriously because there is an assumption that it might influence his policies. Stephen Carter's newest book, *The Confirmation Mess*, will probably not be the subject of any public praise by Clinton since it is highly critical of the way presidents choose and package their nominees for high posts. And Carter reserves even more severe criticism for the way the Senate confirms or rejects those nominees.

Prominent in Carter's catalog of flaws in a nomination/confirmation system that has produced debacles such as the Robert Bork and Clarence Thomas hearings and the serial executions of the nominations of Zoe Baird, Kimba Wood, and Lani Guinier is the system's current presumption that a presidential nominee should, by and large, be guaranteed Senate confirmation. This school of thought holds that presidents deserve "their own team."

Yet Carter advises that we turn this presumption of confirmation on its head and instead force nominees to tell us why they are qualified. It is an intriguing thought, but would make it difficult for presidents to pay off their big contributors with ambassadorships to Barbados, Costa Rica, Ireland, and the Court of Saint James. It would have spelled doom for Harry Truman's nomination of Perle Mesta to Luxembourg and thus deprived us of the basis for a great musical comedy, Irving Berlin's *Call Me Madam*.

Carter's concern, however, is not so much with ambassadors or even cabinet nominees so much as it is with Supreme Court justices. Had he stuck with those alone and not gotten into the Lani Guinier affair, the book would have had a more consistent point to make.

Despite Carter's underlying argument that a single seat on the Supreme Court is not so all-fired important that the lobbies of the right and left need to put out a *fatwa* on nominees they don't like, an associate justiceship still counts for a good