

Tilting at Windmills

BY CHARLES PETERS



*Supreme Procrastinators • Near Misses • Newt and Bibi
Rudy's Casino • Remembering Bobby*

I SALUTE THE JOURNALISTS WHO saw the importance of the May vote on the Northern Ireland peace agreement and went to Ireland to cover it. They include Mary McGrory of *The Washington Post*, Maureen Dowd of *The New York Times*, and Gordon Peterson of "Inside Washington" and WUSA-TV. The victory for peace that the vote represented was wonderful news.

The agreement, of course, remains in danger from the extremists on both sides. Some of them are in America. Most of the IRA's funding came from Irish-Americans, and some of them remain bitterly opposed to the peace except on their terms. For example, John McDonough, who has a radio show in New York, says that Gerry Adams "is now on the payroll of the British government."

Peace between the Arabs and the Israelis is similarly threatened by Americans who support Netanyahu's effort to cripple the Oslo Accords and sabotage the Clinton administration's Mideast peace initiative. Recent polls show the majority of American Jews support Clinton's efforts. But there's a significant minority who don't. They are significant because they happen to be rich. Their contributions give them a large voice in AIPAC, the leading American Israeli lobby. Members of the AIPAC staff know that these contributions pay their salaries, so they tend to follow the wishes of the contributors against those of the rank and file.

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THE OTHER DAY A FRIEND TOLD

me about a quote from the poet W. H. Auden that I had never heard. I liked it enough to pass it along: "Among those whom I like or admire, I can find no common denominator, but among those whom I love, I can: All of them make me laugh."

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SPEAKING OF NETANYAHU, WHY is Newt Gingrich supporting him? One has to suspect that the reason is not unrelated to the possibility of contributions from the same sources that support AIPAC. Interestingly enough, Gingrich's chief of staff, Arne Christenson, is a former legislative director for AIPAC.

What amazes me when I see Jews getting into bed with right-wing Republicans is that in my experience the most vicious antisemites have come from the right.

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ROONE ARLEDGE, THE RECENTLY retired head of ABC News, was responsible for many innovations in television coverage. One he may regret is creating the first program — "This Week" — in which, in the words of *The Washington Post's* Howard Kurtz, "the journalists — George Will, Sam Donaldson, Cokie Roberts — were as important as the power brokers they interviewed." Things only got worse in the 20 years that followed, as we grew accustomed to journalists for whom becoming a star is

more important than doing reporting and for whom political leaders are the object of condescension or even contempt.

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ONE OF THE GREAT FEARS OF sports fans is that their team will be moved to another town. What happened to the Brooklyn Dodgers in the 1950s, to the Cleveland Browns in the 1990s, and to many other cities in the years between could happen to them. Owners exploit this fear by demanding that cities fork over the money to build expensive stadiums, the revenues from which go to line the owners' pockets. The people of Green Bay, Wis., are exempt from this worry. Why? Because they own the team. So the National

Football League now has a rule forbidding community ownership of any other team. The good news is that Rep. Earl Blumenauer of Oregon has introduced a bill to eliminate the rule.

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JUNE WAS THE 30TH ANNIVERSARY of Robert Kennedy's death. The resulting articles and television shows brought back many memories. When I first met him in early April 1960, I disliked him. For the most part, he seemed shallow and arrogant. But one trait impressed me mightily. When he saw what had to be done, he did it. Five of us West Virginians were invited to Hickory Hill to discuss

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the problems we faced in the coming primary. It was clear that number one was anti-Catholicism. The state was 96 percent Protestant and his brother John was running behind in the polls by the daunting margin of 60-40.

We told Bob that the only way that we could see to counter the anti-Catholicism was to invoke the blessing of the man who was God to most West Virginians, Franklin Roosevelt. We had to find some way of getting across the message that FDR would have thought it was OK to vote for a Catholic. After listening to us for a few minutes Bobby got up from his chair, went to another room, and placed a call to Franklin D. Roosevelt Jr., who had been a friend of John Kennedy's when they served in Congress together. FDR Jr. agreed to campaign for us in West Virginia, and had exactly the effect we hoped for.

We also told Bobby that West Virginians were very patriotic, with an incredibly high percentage of WWII veterans and widows of those who had given their lives in the war. JFK's heroism in the South Pacific might provide another excuse for voting for a Catholic. Bobby arranged to get reprints of the John Hersey article about PT-109, of which we distributed 40,000 in just my county.

Later that year, Harris Wofford recommended that the Kennedys come to the aid of Martin Luther King, who had been jailed in Georgia. Bobby responded immediately with a call to the judge while Jack was calling the King family. Most of us think these gestures to black Americans were essential to the 100,000 margin of victory that November.

Just two years later during the Cuban missile crisis, Bobby showed the same gift for the crucial act when he secretly went to Soviet ambassador Anatoly Dobrynin to assure him that we would pull our missiles out of

Turkey. This gave Khrushchev the quid pro quo he needed to remove his missiles from Cuba.

I have been called the godfather of neoliberalism, but I think the title really belongs to Bobby. From his attack on corrupt labor unions in the 1950s to his attack on the privileged white students who were evading the draft in the late 1960s and letting poor blacks do the dying in Vietnam, he anticipated much of the neo of this magazine. As for our liberal heart, what could have better expressed it than his answer to a group of medical students who asked him who was going to pay for the national health program he was advocating: "You are."

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A POWERFUL FACTOR IN THE atmosphere of sanity surrounding the vote in Northern Ireland was the absence of inflammatory television commercials. As Richard Berke points out in *The New York Times*, there were no "grisly photographs" of victims of terrorism to inflame either side or any of the loaded visual images that use the power of television to distort the truth. Why don't we learn from this example and ban these manufactured commercials in America? Remember, freedom of speech would still mean each candidate would be free to say what he wants to say. He just wouldn't be able to employ the artifice of Madison Avenue to improve his image and discredit his opponents.

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CAN YOU BELIEVE RUDOLPH Giuliani wants to turn Governors Island into a resort with a gambling casino as its main attraction?

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YOU MAY HAVE NOTICED THAT the federal judiciary that tilted liberal from the 1940s through the 1960s has since become increasingly conservative as a result of 20 years of court appointments by the Nixon, Ford, Reagan, and Bush administrations compared to nine

and-a-half years of judges named by Carter and Clinton. The balance has been made even worse by foot-dragging and blackmail by the Senate Republicans during the confirmation process.

Now it develops that conservatism in the court enjoys other encouragement. According to *The Washington Post*, an outfit called the Foundation for Research on Economics and the Environment (FREE) is bankrolled by the right-wing Koch family, the Carthage Foundation funded by Richard Mellon Scaife, and other conservative foundations including ones funded by Amoco and Shell. It sponsors seminars that have involved as many as a third of all federal judges. In 1996 alone, 109 took part in FREE seminars. The seminars, according to a FREE brochure, explain the "importance of secure property rights and the market process in the efficient and sensitive use of natural resources."

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I'M PROBABLY WRITING SO MUCH about foreign policy in this issue because I feel guilty about not having written anything about the expansion of NATO, which has been endorsed by the U.S. Senate. It seemed to me that its main support came from the American arms industry, which wanted new customers, and from politicians with Czech, Hungarian, and Polish constituents. The danger is that NATO expansion will strengthen members of the Russian right who could still come to power and make life more difficult for us. We may get by with adding the three countries, but further expansion of say, the Baltic republics should be a definite no-no.

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I KNOW MANY OF YOU HAVE already read Don DeLillo's *Underworld*, but I only got to it last week and was of course transfixed by DeLillo's account of the last game of the 1951 playoffs between the Dodgers and the Giants. For me as

for so many others who were there or saw it on television or heard it on the radio, it was the event of our lives that proved miracles could happen. *The Washington Monthly* would not exist today if the memory of that day in 1951 had not reassured me in the magazine's darkest moments — of which there were more than a few financially — that we would somehow win out.

(If you aren't a baseball fan who borders on lunacy in his fascination with the intricacies of the game, you should skip the rest of this item.) I had been a Giants fan since their great come-from-behind had begun in August. I watched part of the final playoff game on TV, but had become discouraged and went home after the Giants failed to score in the bottom of the eighth. When I got there, I found myself still hoping so I turned on the radio in time to hear the bottom of the ninth.

The Giants rallied. A run scored, they had runners on second and third. Now as a Giants fan I began to fear what a smart Dodgers manager would do to thwart us. Bobby Thomson was coming up. Ralph Branca was the pitcher. In the vernacular of the sports pages of the era, Thomson owned Branca. I thought, Why don't they walk Thomson and pitch to Willie Mays? This would have been an unusual strategy, but let me explain why I think it would have worked. In light of Mays' subsequent status as an immortal, you would be shocked to learn that he was not as good a hitter as Thomson at that time. In fact, he was a rookie and his average was around .270. And there was a Dodgers pitcher named, I think this is right, Billy Loes, who owned Mays. If Mays had gotten a single hit off him during the season, I wasn't aware of it. I feared the Dodgers manager would walk

Thomson and bring in Loes to pitch to Mays. Fortunately, he left Branca in and had him pitch to Thomson with the result that's now famous.

On Mays' behalf, I should state that it was in an August game at the Polo Grounds that he broke the spirit of the Dodgers. They may have been 13 games ahead, but Mays caught a fly on the run in fairly deep center, wheeled, and threw a strike to the plate that caught a Dodgers runner tagging up and trying to score from third — which the uninitiated should know was supposed to be easy on a ball hit that deep. You could feel the Dodgers' despair as this was a very bad omen — a sign that the tide was turning against them, that God was not on their side.

THE GOOD NEWS IS THAT WEST Virginia's welfare rolls dropped by 6,972 cases between January and March of this year. The bad news is that only 1,543 cases were closed because the recipient had found a job.

MY FIRST EXPERIENCE WITH A legislature was as a page for West Virginia's when I was 16. What amazed me the most was the way half the work was put off until the last week of the session. Later on as a staffer and a member I saw the same procrastination.

It seems that the United States Supreme Court has a similar problem. Of the 90 or so cases on which it will have issued opinions by the end of June, only 57 had been decided by the end of May.

The resulting backlog may have helped nudge the justices toward a vote that would have seemed unlikely for a Republican court, namely to help Bill Clinton by rejecting Ken Starr's motion for a fast track consideration of the privilege cases. The justices already

had travel and teaching plans for the summer so that if they didn't have time for the case in June, they weren't going to agree to hear it in July, August, or September.

Vacation plans may also help Clinton avoid impeachment hearings before the election. During the same three months, the Senate will be in recess for 38 days and the House for 42.

THE NEXT TIME YOU'RE FLYING into New York, try to forget what, according to *The Washington Post's* Don Phillips, the air traffic control supervisor had to say about his failure to report the 20-foot near miss between two US Airways and Air Canada passenger jets: "They're all ugly." Hmmm.

A FEW YEARS AGO, DISTRICT Cablevision, the local cable company, announced with great fanfare that its customers were going to be offered four pay-per-view channels that would provide them with all sorts of features including the best new movies before they were shown on HBO or Showtime. I signed up even though a higher fee was required.

But the number of channels kept decreasing as the proportion of dirty movies, most of which were artistic disasters, increased. By the spring of this year we were down to one channel that was so dominated by sex films that all but the most depraved viewers had to be bored. Of course the high fees remained in force.

Now the company is offering some more pay-per-view channels. But guess what? There is a still higher fee.

I hope your cable company is better. The local company seems like another failure of deregulation, as does the local phone company, Bell Atlantic, whose sins I described last month. I forgot to tell you that one day, desperate to get my phone repaired, I spotted a Bell Atlantic truck parked on a

**Heroes
don't have
to be
perfect.**

street as I was driving home. I rang the doorbell of the house in front of which it was parked, and explained my plight to the homeowner, who was kind enough to permit me to enter and speak to the repairman. Despite my entreaties, he explained that he was too busy with other service calls to get to my home. I asked what had gone wrong. The phone company used to be so good. He explained that Bell Atlantic had permitted too many skilled repairmen to retire without replacing them. A few weeks later what he told me was confirmed by Terry Pristin of *The New York Times*. Bell Atlantic had gone too far with downsizing, losing more than 11,000 new service workers.

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IF YOU DOUBT THAT THE RICH are getting richer, consider the experience of Evan Goldenberg, who "has built a prosperous business out of installing wine cellars," according to *The New York Times*. In the past five years, the *Times* adds, he has built almost 100 wine cellars, at \$50,000 to \$150,000 apiece.

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IF YOU RECALL DAVID BOSSIE's lengthy record as an enemy of Bill Clinton's, you may be troubled by the fact that such reporters as NBC's Lisa Myers or *The Washington Post's* Susan Schmidt reported the Hubbell transcript Bossie had edited and leaked without giving their readers the slightest clue that their source was biased.

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SPEAKING OF WHICH, THE ACTOR Warren Beatty recently told *The Washington Post* what he considered "to be the mission of the Democratic Party — which is opposition to the rich." This is, of course, an oversimplification, but most of the time it is a pretty good guide, a guide I wish my fellow journalists would follow a lot more. That brilliant and cantankerous original, Michael Thomas, whose

work you can find in the *New York Observer*, wrote me the other day: "I think the greatest, most appalling development of my lifetime has been the shift in the social position of journalists, who now dine regularly with people they should be regularly dining on."

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MOST OF THE IRS HORROR STORIES that have been reported recently ring true and must be corrected. But, as we have tried to point out, if there are IRS bad guys there are also taxpayer bad guys and they too must be identified and required to pay their fair share instead of being allowed to stick the rest of us with the bill. But those bad guys, thanks to budget-cutting Republican enemies of the IRS in Congress, are much more likely to get away with it than they used to be. According to *The Washington Post*, "The IRS now audits just over 1 percent of all taxpayers, less than half the audit rate of 20 years ago."

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PIG MANURE IS NOT A SUBJECT to which I could be said to have devoted excessive attention. But a recent column of my friend, Molly Ivins, tells me it's something to worry about. "According to a Senate study, a single 50,000 acre hog farm now being built in Utah could produce more sewage than the city of Los Angeles," Molly reports, adding, "except that there aren't any treatment plants on hog farms."

Ground water in 17 states has been contaminated by feedlot manure. The handful of animals on the typical small farm is not a problem, but when a vast number of pigs or chickens or herds of cattle are concentrated in one place, the results can overwhelm the water supply. We treat much of our human waste but have no nationwide standards for animal waste, which, according to a report by Sen. Tom Harkin, is 130 times the amount of human waste. Harkin

has introduced a bill to provide for regulation of manure treatment. This is another example of the point made by Robert Worth in this issue, that often what we need is not the deregulation the Republicans always advocate but tougher, smarter regulation that effectively protects the public.

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"POLITICAL LEADERS AREN'T Heroes to Youngsters Anymore," reads a recent headline in *The Wall Street Journal*. This is a shame, because there are still some admirable figures in public life. Take Abner Mikva, whose book review appears on page 40 of this issue. He has had a distinguished career as a federal judge, congressman, and White House counsel. Read the review and you'll see that he has a first-rate mind. Dale Bumpers displayed similar intellectual distinction in his article in our January/February issue on how the gold and silver mining companies are ripping off the American taxpayer. More important, he has been an outstanding senator for more than two decades.

Heroes don't have to be perfect. We can honor the good they have done without blinding ourselves to the bad. John Kennedy was stupid about Judith Exner and the Bay of Pigs but brilliant and courageous in saving the world from nuclear war during the Cuban missile crisis. George Mitchell should never have sunk to lobbying for the tobacco companies but he did a monumental good deed in Northern Ireland. During the 1930s FDR should have given sanctuary to many more Jews fleeing from Hitler than he did, but ultimately he was to lead the coalition that destroyed Hitler. Bob Kennedy could be a jerk but he ended up mostly wonderful. To me they all — Abner Mikva, Dale Bumpers, John Kennedy, George Mitchell, Franklin Roosevelt, and Bobby Kennedy — are heroes. ●

A Deadly Mix

Drinking, driving, and lawyers on the information superhighway

BY BILL ADLER JR.

INTERNET PORNOGRAPHY. HATE GROUPS. Instructions for building bombs. Fraudulent money-making schemes. These are some of the abuses of the Internet. But one of the most outrageous — even frightening — abuses of the medium is by lawyers who advertise their ability to get drunk drivers off the hook.

I'm not talking about attorneys' defending people merely accused of drunk driving, but lawyers who brag about their ability to win not-guilty verdicts for even the most assuredly guilty drivers with high blood alcohol levels. Now, I'm sure some of you are thinking: "Everybody has a right to a fair trial, and there are probably a lot of people accused of DUI who aren't really guilty. So what's the harm of lawyers defending people accused of drunk driving?" Fundamentally, there's nothing wrong with it. It's vital that everyone have the best legal representation possible. But this new breed of online advertisement implies — and in many cases states outright — that it doesn't matter if you drive drunk, because these legal eagles can bail you out. In short, they are promoting the notion that it's okay to drive as drunk as you want.

Think I'm exaggerating? I'll let the lawyers words speak for themselves. Here are excerpts from actual web sites. One lawyer from San Diego boasts, "You need an aggressive attorney to keep you out of jail and who has experience in hundreds of DUI & DMV matters like yours!" His site then lists the blood alcohol content of the clients for whom he's had legal victories:

<u>Client</u>	<u>BAC%</u>	<u>Type of Test</u>
Backesto	.15-.16	Blood+Breath/ Under 21/Accident
Bonas	.15	Breath

Briggs	.16	Breath
Callaway	.09	Blood
Caster	.17	Blood
Costa	.13	Breath

To put these numbers in context, if your blood alcohol level is above .10, you are legally drunk in all states. In some states the limit is .08. But don't worry, because this lawyer insists he can successfully defend you even if your blood alcohol level is .17.

Another lawyer publishes an online newsletter for people arrested for drunk driving. Here's his pitch:

You have just been arrested and charged with a crime. Since one of the charges is DUI, you probably spent a few hours in jail before they released you with a ticket ordering you to appear in court, or you may have posted bail. ... Don't be cheated by anyone in the process, especially yourself. Legal representation will prepare you for success in the court and DMV processes.

Yet another lawyer, billing himself as a "Top Gun DUI Defense Attorney," brags:

We have over 40 years combined experience successfully representing doctors, lawyers, professional athletes, business people, and others accused of DUI. Some of our recent successes include our client who was arrested for DUI and blew .28. Another client was arrested for his 3rd DUI and blew a .16. Another client was arrested for DUI after an accident and blew a .16. Another client was arrested for DUI after an accident with injuries and measured a .11 blood. Another client was arrested for his 2nd DUI and blew a .10. Still another client was arrested for her 2nd DUI and blew a .12. Five of these six clients had their license suspension/revoca-

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