



Tilting at Windmills

BY CHARLES PETERS

A Dirty Tricks Primer • The Summer of 1940 • When Conventions Counted

Five Star Toilets • The Hitoku Department • Camelot's Outsider • Milwaukee's Finest

"WHERE IS THE NEAREST PUBLIC toilet?" is a question that every tourist has to ask sooner or later and sometimes with embarrassing urgency. I'm happy to report that help is at hand. A woman named Mary Ann Racin has established a Web site called thebathroomdiaries.com that will give you the skinny on where to find tourist-friendly toilets, whether you're going to Paris, Venice, Bangkok, or Chicago.

My wife, Beth, is also a serious student of toilets, although her field of concentration is somewhat narrower than Ms. Racin's. Beth's specialty is ritzy hotels. She long ago learned that, as the wife of an impecunious editor, she is unlikely to enter these establishments as a paying customer. But she discovered that she can use the facilities for free and afterwards soak up the privileged atmosphere as she saunters through the lobby. So before you take your next trip, give Beth a call, and she'll make sure that, if you have to go, you'll go in style.

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THE CONVENTIONS THIS YEAR were, except for a few good speeches, boring to almost everyone but relatives of people on the podium. They made me yearn for the time when conventions meant something. The last close race was between Reagan and Ford in 1976. Before that you had to go back to the Kennedy-Kefauver contest for the vice-presidency in 1956, and Taft and Eisenhower in 1952. There was a close vote between Harry Truman and Henry Wallace for the vice-presidential nomination in 1944. If Sam Rayburn hadn't arbitrarily adjourned the convention (against a chorus of "no's" from the delegates) after the first ballot, Wallace would probably have

won, which just proves that Mr. Sam knew when to be arbitrary, because Henry Wallace would have been a disaster as president.

But the most exciting convention in my lifetime was held by the Republicans in 1940 in Philadelphia.

Taft and Dewey were the main candidates and Arthur Vandenberg was the other candidate of party regulars. Wendell Willkie was the only clear internationalist in the field. The other three were at that time relatively isolationist. This was important because the crucial issue that summer was aid to Britain. France had fallen just before the convention began. Britain stood alone against Hitler. Roosevelt wanted to help England, but since America was just beginning to emerge from a long period in which isolationism was definitely dominant, any pro-British steps he took were politically dangerous, particularly since this was an election year.

So everyone, including me at age 13, who felt that the future of the world hung on our getting help to Britain, was desperately rooting for Willkie. There were enough of us to pack the galleries at the Philadelphia Convention Hall, chanting "We Want Willkie, We Want Willkie." I was back home listening to the radio and rooting as intensely as I did for my favorite baseball team. On the first ballot Dewey, Taft, and Vandenberg got 625 votes to Willkie's 105. But he began to climb steadily until he was finally nominated on the fourth or fifth ballot. It was not

only hugely exciting but it changed history. Roosevelt was able to risk sending guns to help rearm the soldiers who left theirs behind on the beaches of Dunkirk but more important he was able to send the British 50 destroyers desperately

needed if the Royal Navy was to repel a Nazi invasion. Just a couple of weeks after the first of those destroyers sailed, Hitler decided to postpone the invasion indefinitely.

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SOMETHING ELSE FDR did that summer of 1940 that it is hard to imagine

his doing without Willkie was to propose a military draft. This country had never had conscription when it was not at war. Here again the fact that 1940 was an election year magnified the political risk.

The good guys of this period have to include the media mogul Henry Luce. His publications, *Time* and *Life*, were at the height of their power, and Luce used that power to help mobilize support for the draft, aid to Britain, and for Wendell Willkie. Luce, a complex and difficult man, was far from being always right, but that summer he was absolutely right on the issues that counted most.

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FOR ME THAT SUMMER OF 1940 compares to no other period in my life except the Cuban Missile Crisis. These were the two moments when the future of the country and much of the world hung in the balance.

The heroes of the missile crisis were John and Robert Kennedy, as

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Harris Wofford recounts in his review in this issue of Evan Thomas' new book, *Robert Kennedy: A Life*. It still seems almost miraculous that the two of them found the courage to stand up to the majority of their advisors who favored an invasion or air attacks that would have produced nuclear war. One of their hawkish advisors, Dean Acheson, stood head and shoulders above the Democratic party's foreign policy elite. His scorn was withering. And one of Jack's weaknesses was a tendency to defer to sophisticated establishmentarians like Acheson. This may be why Bobby was so vital at this moment. He was much more likely to consider himself an outsider with little reason to defer to the insider. And, of course, Jack had learned from the Bay of Pigs that the insiders could lead him astray. So this time he was ready to join Bobby in questioning them.

Incidentally, Wofford was himself a participant in a story that showed both Bobby Kennedy's noble and less noble sides. During the 1960 campaign it was Harris who persuaded Bobby to call the judge who was holding Martin Luther King in jail and persuade the judge to release King. But after doing the right thing, Bobby got mad at Harris because Bobby worried that the gesture—along with JFK's call to King's father, also instigated by Wofford—would lose the South.

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A FEW YEARS BACK WE NOTED that one explanation for the increasing conservatism of the judiciary is the brainwashing that judges get at conferences put on by conservative foundations and held at plush resorts where the judges are wine and dined when they aren't on the golf course or in the conference room. Now comes Joe Stephens of *The Washington Post* to report that, not only are the judges still going to the conferences, they have failed to report more than a dozen resort trips on their annual financial report

as required by federal ethics laws. Why do the judges take these trips and what do they learn? "They're in nice places," Federal District Court Judge John F. Rhoades explained. "I learned a lot. Like, if you build a car and make it absolutely safe, can anybody afford to buy it? Stuff like that."

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I ADMIRE THE VICE-PRESIDENTIAL selections of both candidates. I think they each picked the man they sincerely thought was the best of the contenders. And I could easily imagine Joe Lieberman as a very good president. I've admired Dick Cheney as White House Chief of Staff and Secretary of Defense. But I don't want him as president because I think he's wrong on too many important issues. As a Congressman he voted against Head Start, the Clean Water Act, the school lunch program, and health insurance for people who lose their jobs.

Another of the issues I disagree with Cheney on has been gays in the military. He has not been sympathetic to their cause. Yet he has a gay daughter, Mary, and openly supported a gay man, Pete Williams, on his staff at the Pentagon when he was Secretary of Defense. Still Dick Cheney is running on a platform that says "homosexuality is incompatible with military service." Like a good many conservatives I know, Cheney is charitable when it's close up and personal but harsh when it comes to public policy.

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OF THE FIRST 830 COMPLAINTS of taxpayer harassment filed under the law passed by Congress when the IRS was being accused of bullying taxpayers, none has been upheld. Instead, the new law has resulted in what David Cay Johnston of *The New York Times* describes as "extreme caution by IRS workers, especially those involved in sensitive audits and collections against those who owe taxes past due. Collections have grown so lax," continues Johnston, "that some prominent tax

advisers said in interviews last year that they were amazed that the IRS was not trying to collect taxes owed by their clients."

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ON ANOTHER MATTER INVOLVING gays, the Boy Scouts, I find myself understanding the conservatives. If you've known many gay men, as I have, you know that some of them are powerfully attracted to boys. So I can see why the Scouts don't want to have to wait until it's too late to discover that one of their scoutmasters has a man-boy inclination that cannot be controlled. I can also see why a gay who does not have this tendency would be outraged at being denied the opportunity to serve. The scouts would lose by not letting him serve. So it's a tough problem. I lean toward letting the gays serve, but I do feel that, unlike the case of the military, the conservatives have a legitimate point.

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PRIVATE PLANES POSE A SAFETY threat that few people are aware of. To give you a sense of the dimensions of the danger, consider that the Firestone tires that prompted the biggest safety scandal of the year caused 103 fatalities in all. As Stephen Pomper reports in an article on page 8 of this issue, private plane crashes caused 628 in just one year.

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ALTHOUGH I'M A LIBERAL ON most issues, there are a few where I tend to be on the conservative side. One of these has long been violent crime. What happened in the case of the murder of Jimmy Cottingham explains why. There were witnesses. One, to whom the alleged killer, Vincent Haron Hunnicutt, had confessed the murder, did not come forward until seven months afterwards because, according to Arthur Santana of *The Washington Post*, "of fear and finally did so reluctantly."

When Hunnicutt was charged with the murder, the U.S. Attorney's office recommended he be held in jail pending trial. But Judge Patricia

Wynn released him to a halfway house for three weeks and then to live with his grandmother until trial. Now stop and think about the frightened witness. "Why," he must be asking himself, "did I ever come forward? There's a good chance I'll be killed. Maybe I better get out of town. Or maybe I better recant."

An auditor's report in 1999 found that D.C. halfway houses have "insufficient staff, inadequately trained employees, and few sanctions for escapees." Among the report's recommendations was that "defendants accused of violent crimes not be placed in halfway houses."

Of course, after three weeks Hunnicutt won't have to endure even this lax supervision. He will be free to go to his grandmother's where the only conditions will be "that he checks in periodically and be tested occasionally for drugs." Suppose he fails to check in? Once, nothing will be done. Twice, nothing will be done. He has to violate the conditions of his release three times before he will be jailed.

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ON SEPTEMBER 3, THE NEW *York Times* front page had an article on the shortage of public school principals. The solution to the problem comes curiously enough in another *Times* article, this from the June 8 edition, explaining how "leaders from other professions reshape America's schools from top to bottom." The article focused on how top lawyers like Harold Levy and Alan Bersin had moved into jobs running public school systems. But there are thousands of other unhappy lawyers who would find a principal's job more interesting and worthwhile than killing themselves doing dull work for soulless corporations. Every smart person who is miserable in his cur-

Every smart person who is miserable in his current job should consider going into public education.

rent job should consider going into public education either as a teacher or a principal. Those who have the aptitude will find the immense satisfaction of using their skill on the front lines of a crucial struggle. "Urban education is the equivalent of the civil rights movement of the '50s" was the outquote in the June 6 story and it happens to be true.

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IT DOES APPEAR that those lawyers are having less and less chance to do good at their firms. "Many of the nation's biggest law firms," according to another recent *Times* article, this one by Greg Winter, "have cut back on pro bono work so sharply that they fall far below professional guidelines for representing people who cannot afford to pay." And it should be noted that those guidelines are less than demanding—just 50 hours a year. But at 142 firms surveyed by the District of Columbia Circuit Court, less than 25 percent of the lawyers spent even that much representing needy clients. One factor in the decrease in pro bono hours, according to reporter Winter, is that firms have "to raise billable hours to pay escalating salaries." In other words the lawyers' own greed causes the pro bono problem.

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NORMAN MAILER RECENTLY wrote in the *Los Angeles Times Book Review* that John Dos Passos' *USA* "had the largest influence on me of any novel I read while I was in college." The late Mary McCarthy said the same thing before she died. And I know the book had a great impact on many others who came of age in the '30s and '40s, including me. Experience gives us our measuring rod of truth, and the vicarious experience of the novel, to the extent the writer convinces us he's accurately describing reality, becomes part of

our equipment for sniffing out what's real and true and distinguishing it from the phoney. Dos Passos taught my generation where to sniff.

But he was at least partly wrong in teaching us to be socialists. Socialism as a means of running industry has mostly been a failure. But there's still much to say on behalf of a socialist approach to medical care and education as I will try to explain later in this column.

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IF YOU HAVE THE SLIGHTEST illusion that the Firestone cover-up is unique, consider that on August 22, Mitsubishi admitted that it had, in the words of Miki Tanikawa of *The New York Times*, "systematically concealed customer complaints about tens of thousands of defective automobiles since 1977." The problem included faulty fuel tanks, clutches, crankshafts, and brakes. The defects were repaired but the customer complaints were initialed "H" for "hitoku" which means conceal. "None," writes Tanikawa, "were reported to the government."

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WHY WASN'T THE NATIONAL Highway Transportation Safety Agency on top of the current Firestone crisis as it was on a similar Firestone problem in 1978? Back then Jimmy Carter was president and Joan Claybrook, a Nader protégé, was the agency's administrator. In 1981, Ronald Reagan took office with his anti-regulatory guns blazing. The NHTSA budget was cut by 49 percent and, according to John Martin of ABC News, Republican congresses have continued to sabotage the agency. It has only 42 employees, just 15 to 20 of whom are investigators. Congress blocked its attempt to reduce the number of hours truck drivers drive without rest. And when it attempted to publish the rollover ratings for the benefit of new vehicle buyers, Congress again said no.

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DR. RENE FAVALORO RAN A HEART clinic in Argentina that treated the

rich and poor alike. He proved that high-quality medicine could be practiced on a socialized basis. In fact his clinic, according to Anthony Faiola of *The Washington Post*, "quickly became Latin America's most advanced and modern heart institute, conducting ground-breaking research as well as sophisticated organ transplants and coronary surgeries." But his inspiring story had an unhappy ending. As Argentina's health care system became increasingly troubled in the '90s, it laid ever-increasing numbers of its patients on Dr. Favaloro's clinic. The percentage of needy patients rose from a fair share to a grossly unfair burden. No one would help him meet the costs. He despaired and committed suicide.

But the lesson of what he accomplished shouldn't be lost. Innovative, high-quality medicine can be practiced in a clinic that can care for the rich and poor alike.

Earlier in his career, Dr. Favaloro had worked at the Cleveland Clinic, where, as I pointed out a few months ago, physicians are paid a salary and do not know if the patient they're treating is rich or poor. And the clinic is justly renowned for the excellence of the care it provides.

In that column I quoted the Cleveland Clinic's Dr. Toby Cosgrove. A few days after the issue came out, David Halberstam, a member of our editorial board, called and said "Toby is a friend of mine. Did you know he was a military doctor in Vietnam?" The reason Halberstam knew that would grab my attention is because Vietnam offers more proof that good innovative medicine and socialized medicine are not inconsistent. It was in Vietnam that drafted doctors, working under a socialized system and being paid salaries instead of fees, made incredible advances in emergency medicine. And they never knew whether their patient was rich or poor.

I called Dr. Cosgrove and asked him about Rene Favaloro. He said Favaloro's surgical innovations were

"of Nobel quality" and "if he had chosen private practice, he would have been a very wealthy man."

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THE WALL STREET JOURNAL recently devoted four columns at the top of the editorial page to an article by Ralph Nader. At first I was astonished that the conservative editors of the *Journal* would give this space to the very liberal Nader. Then I thought, of course, the conservatives want to help Nader because a vote for him is a vote taken away from Gore. That thought inspired another. If the Republicans have a dirty-tricks department, it will certainly be trying to advance Nader's candidacy, including steering contributions his way. I hope some enterprising reporter will take a good look at the sources of Nader's money to see if this actually happens.

The other area with rich dirty-trick potential for the GOP is the cost of energy. If oil prices continue to escalate, it could be blamed on Clinton and Gore. And no one knows better the people who can keep the prices going up—the oil companies and the Saudis—than Dick Cheney.

The position taken by Nader in his *Journal* op-ed is that he should be part of the presidential debates. This has also been the position taken by TomPaine.com in one of its op-ed ads in *The New York Times*. As a longtime admirer of Nader's and a board member of TomPaine.com, I regret to say they are both wrong. Only Al Gore or George W. Bush is going to win this election and we need to use the debates to find out everything we can about them.

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MORE EVIDENCE THAT SOCIALISM can work comes from the military's child-care program. In the '80s it was a mess, writes Jacqueline L. Salmon of *The Washington Post*. Today, she reports, "the picture is dramatically different." The military is held up as an example of what the rest of the country should do. It provides qual-

ity care to 200,000 children at a cost to military personnel 25 percent less on average than civilians pay.

But what the story also illustrates is that socialism doesn't automatically work. Military day care was a mess. It only got better because a lot of people paid attention to what needed to be fixed.

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SIXTY-SEVEN YEARS AFTER Hanby Banning was murdered in Milwaukee, the local police solved the crime. Amazing, you say. But there's more. According to a report filed by the department last summer, six other homicides that occurred between 1932 and 1962 had just been solved. This remarkable accomplishment aroused the curiosity of Cary Spivak and Dan Bice of the *Milwaukee Journal Sentinel*. What they found was that the city's police have a goal of solving 80 percent of homicides. If current cases are proving hard to crack, they dust off the files of crimes committed long ago and check to see if the leading suspect has died. If he has, the crime is solved and, most important of all, the 80 percent goal is met.

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I WAS TOUCHED BY A RECENT photograph of a group of Jewish seniors joyfully greeting Joe Lieberman. I understand the pride they feel. I remember in the West Virginia primary in 1960, the state's population was only about four percent Catholic. But it seemed like we had every last one of them working as a volunteer for Jack Kennedy. Like the Jews, the Catholics had been the victims of prejudice and disdain and were thrilled to see one of their own recognized as a national candidate. The work those volunteers did has long been an unacknowledged factor in our victory. Joe Lieberman can inspire similar ardor. But he must remember one thing: Catholics loved Kennedy because he made them proud. So Joe Lieberman must continue to make Jews proud. The betting here is that he will make all of us proud. ●

Flying Too High

A year after JFK Jr.'s crash, general aviation still enjoys stout subsidies and unsupervised skies

BY STEPHEN POMPER

WHEN JOHN F. KENNEDY, JR. spiralled into the North Atlantic last year, there was some surprise in the press and public that he was allowed to go up into the moonless haze without the instrument training that might have allowed him to save himself and the unfortunate Bessette sisters. But the world of private flying is full of these kinds of surprises. It's the Wild West meets Sherwood Forest stood on its head. Private flyers are regulated in theory, but hardly supervised in practice. This generally well-heeled group benefits from a hidden subsidy that gets funded out of commercial passengers' generally less deep pockets. And watching over this unsupervised, subsidized state of grace is one of Washington's most surprisingly powerful lobbies.

This is probably not news to you if you're already a member of the private plane community—known as general aviation, or simply “GA,” in the trade. You've no doubt discovered that if you own your own plane (or can get ahold of the keys to someone else's) you can swagger through any GA facility anywhere in the country without anybody checking to see whether you have just consumed a pint of bourbon or three sheets of blotter acid, are carrying a neutron bomb under your arm, or haven't had your certification renewed since the Eisenhower administration. You need not file a flight plan (Kennedy didn't) unless you plan to cruise up high with the big jets. Even if you're not licensed to carry passengers for hire, nobody will check whether those guys getting in back are joy-riders, paying businessmen who want to beat the traffic into O'Hare, or a team of Libyan terrorists who are using you as their getaway car. No airborne cop is going to pull you over and question whether you've had one beer too many. You are—for all practical purposes—free from adult supervision.

Certainly, a fair amount of freedom is justified by the statistics; for example, the National Transportation Safety Board reports that in 1999 only about one percent of GA fatalities were alcohol related (an astonishingly low number given the 38 percent of road fatalities that were related to alcohol in 1998). Still, there is evidence to suggest that laissez faire is not always the best policy. Kennedy's ill-fated flight is a good example. So is last November's crash of a single engine aircraft into a Kentucky Fried Chicken in Newark, New Jersey. The incident claimed four lives, injured 25, and caused more than \$1 million in property damage—and was all the more tragic because the pilot had taken a migraine painkiller called Fiorinal that should have kept him grounded. Then, two more crashes over ultra-populous New Jersey added reason for concern: In December a single-engine craft tumbled into a residential neighborhood in Hasbrouck Heights. And in August of this year, a single engine plane collided with a military charter over Burlington Township, killing 11 and destroying a couple's home in the process. Peering through the wreckage one can understand why Senator Frank Lautenberg (D-NJ) has asked the FAA to consider whether a little more air traffic control on small planes flying over densely populated areas might make sense.

Although Lautenberg has a point, don't hold your breath waiting for big changes. Legal and policy shifts that GA don't want—safety regulations that might pin back their wings, and financial reforms that might trim back their subsidy—tend to happen over geologic time. For this, the GA set can thank a Frederick, Maryland lobbying group called the Airline Owners and Pilots Association—an organization that is so dogged, so effective, and so narrowly focused on its own agenda that it once earned the nickname “the NRA of the air.”