

ANDY LAMEY

TK

TK

DISCUSSED: TK

The recent film *Shattered Glass* is a psychological drama that chronicles the downfall of Stephen Glass, the infamous *New Republic* journalist who fabricated over two dozen magazine articles before being fired in 1998. The film is dramatically absorbing, even (or especially) to a former *New Republic* intern like myself. Glass joined the magazine as an intern in 1995, a position I had held the previous year. I read his pieces closely, amazed at how he seemed to outdo every intern before or since. Now, of course, I know why.

Shattered Glass briskly recounts the events that resulted in Glass's undoing. There is the article about a

computer hacker who cracks the database of a software firm, only to be hired by the same company to improve its security. There are the journalists at *Forbes Digital Tool*, the website of *Forbes* magazine, whose suspicions are aroused after they are unable to verify any of the sources in the hacker piece. And there are the tense confrontations between Glass and Charles Lane, the former real-life editor of the *New Republic*. Glass responds to Lane's growing skepticism with increasingly reckless falsehoods, going so far as to create phony voicemail-boxes and a web page for a made-up corporation, before finally breaking down and admitting the whole thing was fiction.

While the film is entertaining, one can't help coming away with a nagging sense of dissatisfaction. In part this has to do with how much attention Glass has already received. Before the movie there was Glass's autobiographical novel *The Fabulist* (in which Glass solipsistically casts himself as a victim); prior to that Glass's story had been told everywhere from *Vanity Fair* to CNN. Yet in spite of the sheer volume of coverage, there is a discouraging sameness to much of the discussion around Glass and, more broadly, around journalistic deception in general.

Both the film and the book make much of how Glass evaded the *New Republic's* fact-checkers. Ironically, former *TNR* editor Michael Kinsley once wrote a famous debunking of magazine fact-checking (cite TK). A fact is considered accurate if it first appeared in the *New York Times* or other papers—none of which employ checkers themselves. As Kinsley pointed out, the purpose of fact-checking isn't so much accuracy as being able to blame someone else's mistake.

By their very nature the film and Glass's book are character-driven narratives, less concerned with examining the systemic loopholes that permitted Glass to stealthily thrive than they are with positing Glass's psychological motivations. The same was true of his media coverage, which also took Glass's pathologies and conflicted inner motives as the central topic of concern. Glass's coverage, in this

way, has not been unique. After *New York Times* reporter Jayson Blair was revealed to have fictionalized many facts and quotes, the issue was partly framed in political terms, as critics debated whether his paper's affirmative action policy explained how Blair's deceptions went unnoticed (Blair is African-American). But many more stories about Blair pushed psychological analysis to the breaking point, even detailing how often he cleaned his bathroom.

I don't doubt that Glass (or Blair) was a disturbed individual. But our lingering fascination with fabricators' troubled personae has prevented us from devoting an equal amount of attention to cases of journalistic mendacity where the psychological drama was less gripping, but the consequences were infinitely worse.

This is depressingly shortsighted. The worst journalistic transgression of the past decade wasn't committed by Glass or Blair. It was committed by a celebrated public-policy writer named Elizabeth McCaughey. McCaughey also wrote for the *New Republic* in the mid-1990s. Her falsehoods had a far more disturbing outcome than Glass's. But where his story has been endlessly publicized, hers briefly flickered in public attention before being forgotten.

Righting the balance is worth doing for its own sake. But justice aside, correcting the record also forces us to examine the biases that cause us to elevate some incidents of journalistic misconduct into

undying scandals while ignoring others. To see the limits of our current approach, we need to use a different standard, one that goes beyond psychoanalyzing the fabricator and focuses on the fabrications themselves with an eye to answering this central question: what were the results?

If reexamining Glass's stories has any value today, it is in confirming a theory first put forward by the well-known social scientist Albert O. Hirschman, now an emeritus professor at the Institute for Advanced Study in Princeton, New Jersey. Hirschman's theory concerns a family of related political ideas that continually reappear in public discourse with pernicious effects—despite the fact that these ideas are often untrue.

Consider Glass's first cover story, "Taxis and the Meaning of Work," which appeared in 1996. This story purported to explain the shift in the racial makeup of Washington cab drivers. Once dominated by African Americans, the occupation had, over the previous two decades, become one largely performed by immigrants. One of the most memorable scenes to appear in any of Glass's stories occurred when Glass described riding late at night with a Pakistani driver named Imran: astonishingly—and fortuitously, for the young reporter—Imran was robbed at knifepoint by a young black passenger while Glass was still in the cab.

Like many readers, I believed

Glass's taxi story when it first appeared. In hindsight, a host of questions arises. The mugger asks to be taken to Anacostia, a poor black neighborhood most Washington cabs refuse to enter even in the daytime. How plausible is it that Imran, who conveniently lacks a last name, would happily speed off for Anacostia in the middle of the night? Why wouldn't the mugger chose a cab without a previous passenger on board? (Unlike many cities, taxis in Washington will stop to pick up a second fare.) Why wasn't Glass himself robbed?

The taxi story initially received a clean bill of health when Glass's other deceptions first came to light, but Charles Lane has since held it up as an exemplar of Glass's fraudulent method. In an interview with an Australian newspaper, Lane noted how the taxi episode, like many of Glass's fictional stories, made manipulative use of stereotypes. The immigrant drivers Glass quotes, for example, say things like, "You have to want the American dream bad, real bad." As Lane put it, the whole story amounts to "a pseudoscientific exploration about why African-Americans are too lazy to drive taxi cabs but immigrants will."

Lane pointed out how such stereotypes lent Glass's fabrications a veneer of plausibility. "They fit into the pre-existing grooves that are already etched into everybody's heads, things we think or are predisposed to believe are true." Re-reading Glass's stories today, one can't help being struck by how

often they involve the stereotypes Lane was referring to. But Glass's manipulation of our preconceptions cut even deeper. The taxi story contained a second layer of stereotype, of a kind first highlighted by Hirschman.

Hirschman's 1991 book *The Rhetoric of Reaction* offers a sweeping tour of the past 200 years of political argument. It examines the debates around the "Rights of Man" after the French Revolution, the rise of mass democracy, and the establishment of the welfare state. In each case, Hirschman writes, the existing or proposed change not only encountered widespread criticism, but the same *kind* of criticism. Two arguments, in particular, appear again and again.

One is what Hirschman calls the "futility" argument, or the indictment that the reform in question will have no effect. Hence the claim that the "Rights of Man"—civil liberties, as we now know them—represent only "the illusion of change." The second is the "perversity" argument: a proposed reform will only make things worse for the people it is intended to help. Hence the predictions throughout the history of suffrage reform that widespread voting rights would lead to social chaos. Nearly every welfare-state measure, from England's first Poor Laws of the 1700s to the introduction of public schools and Social Security, has been accused of futility or perversity at one time or another.

The upshot of Hirschman's book is not that futility and perversity

arguments are always wrong. Few people would say prohibition succeeded in outlawing alcohol or speakeasies. Much like stereotypes, Hirschman's reactionary arguments are sometimes true. But also like stereotypes, reactionary outcomes are frequently exaggerated, and employed by critics who are motivated not by evidence but by prejudice in the literal sense of *pre-judgment*.

It may seem far-fetched to invoke Stephen Glass in a discussion of political debates stretching back to the French Revolution. But consider again Glass's late-night taxi ride, this time with Hirschman's categories in mind. The crucial moment comes when Glass describes the events leading up to the robbery, after Imran has decided to knock off for the night:

I was riding with Imran that night, and he was about to drop me off at home when a black man in his early to mid-20s hailed the taxi. It was late. The man on the corner was listening to a Walkman. The cab's headlights illuminated his bright white high-tops. This is the type of fare Imran would normally refuse. But there was a pair of police cars on the neighboring corner, and Imran said he didn't want to risk getting a ticket for passing up a rider based on his race. As in many other cities, to insure against discrimination, Washington has deemed it illegal for a cabbie to pass up any customer. Imran pulled up.

Note the wider political context in which Glass, helpful reporter, frames the episode. Washington has antidiscrimination laws regarding taxi hauls. But the result of this effort is a robbery heavily coded in racial terms. This is Hirschman's perversity thesis: a reform offered in the name of racial justice has the opposite effect.

At this point, we can pan away from Glass's fictional Washington and compare it to the real one. DC does have regulations against taxi-fare discrimination, but they contain enough loopholes to drive a fleet of cabs through. Ironically, Glass's anecdote highlights the three most obvious ones. A driver can decline any fare he considers dangerous, using any definition of danger he likes. Drivers can turn down a second passenger if they already have a passenger on board (Glass, in this case). Finally, a cabbie finishing his shift and heading home, as "Imran" was, is considered off-duty—and so outside the regulations altogether (a clause that is commonly abused: drivers often claim to be off-duty when they're not).

But the most important detail in Glass's vignette is also the least likely: Imran's supposed fear that the cops would pull him over and issue a ticket for discrimination on the spot. "I've never heard of that happening," says Veralee Liban of the DC-based Equal Rights Center, which recently issued a report on racial discrimination in the

Washington taxi industry. The only recorded instances of police issuing tickets are during occasional sting operations, in which undercover black and white officers are sent out in pairs to try to flag cabs. Well before Glass's article appeared, numerous civilian studies using the same method found that blacks are far less likely to have a driver stop for them than whites. The *Washington Post* has quoted the chairman of the Taxicab Commission himself admitting that racial discrimination "has plagued the taxicab industry for years."

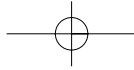
The taxi story, in short, is untrue not only regarding the particulars of what really happened, but in the larger message it delivers. Certainly cab drivers are robbed in Washington, and poor blacks are among the perpetrators. But the problems related to race hardly stop there. Glass wrote thousands of words on the racial politics of the Washington cab industry without anywhere mentioning its most widely documented problem, namely antiblack discrimination. Instead, he conjured a fictional episode in which lax and barely enforced regulations are made out to be the real menace, counterproductive to the point of physical danger. It's hard to know which is more disturbing: that he could bring himself to pass it off as true, or that so many of us believed it.

Predictions of the futility or perversity of social reform are most commonly heard on the Right. As Hirschman writes of such arguments, historically speaking, "their

major champions have been conservative thinkers." Hirschman-style reaction can arise in opposition to reform of any kind. For this reason, Hirschman writes, it has also been employed by the Left. "Whenever conservatives or reactionaries find themselves in power and are able to propose and carry out their own programs and policies, they may in their turn be attacked along the lines of the perversity [and] futility [theses]."

Here again, Glass follows Hirschman's pattern. In a story about a Republican political conference, Glass imagined a scenario in which youthful delegates binge-drink, use cocaine, and cruelly humiliate an overweight girl. The same story quotes conference speakers such as conservative moralist Alan Keyes, who proclaims, "We have the moral structure to lead us ahead." When Keyes's speech is juxtaposed with the young conservatives' bacchanal, a shadow of futility falls across Keyes's remarks, the conference, organized conservatism itself.

Glass employed the rhetoric of reaction against all sorts of political projects, no matter where they originated on the political spectrum, or how far removed they were from formal party politics. In a story about a political group called Rock the Vote, dedicated to politically engaging young people, Glass offered false evidence to demonstrate the organization was "a complete failure at its mission" (futility). Glass similarly fabricated evidence in a story about a reform



to immigration law: intended to protect American jobs, it results in domestic job losses (perversity). A story about improving children's safety while visiting shopping mall Santas featured the fictional Union of Concerned Santas and Easter Bunnies. A representative complained that hounded Santas have been resigning en masse. "If this keeps up, the next generation will have no contact with Santa" (perversity).

Did the rhetoric of reaction play a role in permitting Glass's deceptions to continue for so long? Put it this way: it certainly didn't hurt. Glass frequently replied, on the letters page, to real people mentioned in his articles who complained of "fairy-tale stories and flagrant distortions." The fairy tales Glass chose were the kind that appealed to "the pre-existing grooves that are already etched" in people's heads.

But the main point is to note how Glass illustrates the enduring relevance of Hirschman's categories. Hirschman's book is backward-looking, tracing the exaggerated use of reactionary ideas as far back as the eighteenth-century. Contemporary examples are harder to identify: often the claims of futility and perversity are invoked in highly partisan and contentious debates, or involve predictions about the future we can't fully test. Glass provides a rare instance of reactionary rhetoric that is contemporary and obviously fraudulent. His case thus has the unique value of highlighting just how

widespread and insidious reactionary prejudices are. They are still abroad in our culture, lending support to numerous political falsehoods. And now we come to Elizabeth McCaughey.

In his novel, Glass recalls what first drew him to the *New Republic*. He gives the magazine a fictional name—the *Washington Weekly*—but the publication's tone will be recognizable to anyone who read the *New Republic* in the 1980s and early 1990s:

"The *Weekly* had basically invented what became the dominant magazine journalism voice of the 1990s: the Ironic-Contrarian. *Weekly* pieces were attack pieces—but not angry predictable polemics such as you might find in the *Nation* or *National Review*. They were sophisticated, low-key take-downs, all the more devastating because they used the source's own words to hang him: It was assisted suicide, not murder. The journalist's voice was cool, calm, even cold—at most, he or she might add the one-word sentence 'Indeed,' as if rolling up the noose for future use."

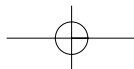
Glass accurately captures the appeal the magazine once had, particularly during the Reagan and Bush Sr. years. To be sure, critics have always complained that on certain pet issues, such as its one-sided support for Israel, *TNR* was dogmatic and predictable. But on many other topics, its preferred stance was to find the angle that was most "counterintuitive," to use the buzzword that became associat-

ed with the magazine. The demographic makeup of rap listeners? Mostly suburban and white. Christian nativity scenes outside government offices? Actually a boon for non-Christian minorities. The cultural legacy of the 1960s? Uptight and conservative.

The magazine's commitment to counterintuitiveness meant that it would sometimes endorse a politician one week and harshly criticize her the next, or publish a range of viewpoints on the same issue. This house style is important to keep in mind when trying to understand how a political magazine could publish an article and then, a year later, publish a devastating rebuttal to the very same article, accusing the author of gross distortions. And this is precisely what happened when *TNR* became embroiled in one of the defining episodes of the Clinton era.

Ten years ago, health care was discussed with the same intensity as the Iraq War is today. It may seem hard to recall now, but in the early years of Bill Clinton's presidency, there was widespread consensus that health care was in urgent need of reform. Bob Dole made joint appearances with Hillary Clinton calling for a system of universal health insurance. The sentiment was seconded by Newt Gingrich, who said, "Anybody who says the current system works and doesn't need to be changed is crazy."

It's not hard to see why the consensus was so widespread. The most serious problem was (and is)



that millions of Americans have no health insurance. A second problem is the overall cost: the United States spends more than twice as much on health care as the average industrialized country. These two problems are related. Someone without health insurance still receives care, but it comes in the least efficient way possible, after he becomes desperately ill and goes to the emergency room, where everyone is entitled to treatment.

The current system encourages this result. The most profitable way for private insurance companies to function is to collect cheap premiums from young healthy people and raise rates for those most likely to need care, the sick and those over forty-five. Many people can't afford coverage, so emergency rooms fill up. The genius of a universal system, aside from insuring everyone, is that it averages the costs of health care over a whole lifetime. For this and other reasons, a universal arrangement makes costs easier to control.

Other issues were often cited in Clinton's first term. There was a widespread desire that the health-care system be changed so that patients would take into account the cost of the treatment they received, but without price becoming the sole criterion according to which medical decisions are made. A weakness of the system has long been the amount of paperwork swamping the average doctor. Ironically, the more health care becomes a market-driven industry, the more bureaucratic it becomes:

physicians who deal with countless insurance companies must contend with a blizzard of forms and reimbursement schemes. Under so-called "single-payer" systems, in which the government funds health insurance, the amount of time dealing with paperwork radically shrinks.

Clinton decided not to go with a single-payer system, largely on political grounds. Among other reasons, it would have encountered enormous opposition from big insurance firms, many of whom would have been put out of business. His proposal was instead a version of what is called "managed care." Rather than legislate insurance companies out of existence, it would have regulated how much they can charge, the services they offer, and whom they have to insure. Crucially, Clinton's plan was a version of universal insurance. It would have extended health insurance to the millions of people who didn't (and still don't) have it, finally bringing the United States in line with other developed countries.

At the height of the health-care debate, Elizabeth McCaughey was a fellow at the Manhattan Institute, a conservative think tank that usually addressed issues such as welfare reform. She took an entrepreneurial interest in health care—but not because of any special expertise in the field (a public-policy professor later said that health-care experts across the political spectrum considered her grasp of the relevant issues "risible"). Rather, McCaughey's

qualification was based solely on the fact that she had read Clinton's reform bill, all 1,364 pages of it. This was the same length as the NAFTA and crime bills—and nothing compared to the private-insurance provisions the nation's doctors must contend with—but the image of a disinterested researcher coolly combing through a long and cumbersome piece of legislation was the key selling point of her February 7, 1994 cover story for the *New Republic*, ominously entitled "No Exit."

"No effort is made here to compare the Clinton bill with the many alternatives offered by Republicans and other Democrats or to assess the nature and extent of the health care 'crisis,'" wrote McCaughey, whose use of scare quotes around the last word was typical. "The purpose is to answer one question: Under the Clinton bill, if you become ill, will you be able to get the treatment you need and make choices about your own health care?"

McCaughy's answer might as well have been written in the blood of medical patients turned away from operating rooms by jackbooted soldiers. Her story conjured a nightmare image of a Big Brother state denying medical care to its own citizens. The tenor of her attack—including its seemingly authoritative citations of the Clinton bill's page numbers—was contained in the first paragraph:

The law will prevent you from going outside the system to buy

basic health coverage you think is better, even after you pay the mandatory premium (see the bill, page 244). The bill guarantees you a package of medical services, but you can't have them unless they are deemed "necessary" and "appropriate" (pages 90-91). That decision will be made by the government, not by you and your doctor. Escaping the system and paying out-of-pocket to see a specialist for the tests and treatment you think you need will be almost impossible.

McCaughey's rhetorical strategy was brilliant. Her deceptively simple methodology—what does the bill actually say?—combined with the prominence the magazine gave her analysis, garnered enormous attention. The White House felt compelled to issue a point-by-point rebuttal. But Andrew Sullivan, then *TNR's* editor, simply kept up the pressure, running another long article by McCaughey responding to the White House (longer by far than two short responses to McCaughey *TNR* also published) and a subsequent letter to the editor from McCaughey billed as "Round Three." Sullivan also ran repeated items in the magazine's unsigned Notebook section challenging Ira Magaziner, Clinton's health-care advisor, to debate McCaughey in public.

The effect of McCaughey's analysis was predictable. It was picked up and amplified by the conservative press. George Will in *Newsweek* stressed the "lethal"

effects the plan would have: "it would be illegal for doctors to accept money directly from patients." Rush Limbaugh conjured a similar image of medical fascism as he ranted about the plan's dangers to dittoheads across America. McCaughey's article was, as they say, a climate changer: it had a greater influence on public policy than any article to appear that year. Certainly the judges for the National Magazine Awards felt so. After the Clinton plan went down to defeat, the jury awarded McCaughey one of journalism's most distinguished prizes, the National Magazine Award for Excellence in Public Interest. According to the jury, her "carefully researched" criticisms "transcended the coverage in most of the press. More than other single event in the debate, what she wrote stopped the bill in its intellectual tracks."

The same week McCaughey won the award (TK months after her winning article appeared), another article on health care appeared in the *New Republic*. Columnist Mickey Kaus took the counterintuitive step of critically examining McCaughey's cover story. His method, like McCaughey's, was simplicity itself: he compared what she wrote to what the plan actually said. Kaus recalled McCaughey's central contention that the bill, in her words, "prohibits doctors from accepting payments directly from you for the basic kinds of medical care" covered by insurance. This was the

claim behind her attention-getting "No Exit" scenario. But according to Kaus, that's not what the bill said at all.

Kaus drew an analogy to education. Right now, everyone pays taxes for public schools. Similarly, under Clinton's health plan, everyone would have had to pay for mandatory insurance. But parents who don't like public schools can send their child to a private school. The same would have been true under Clinton's health plan: patients who didn't like the doctors their insurance paid for were perfectly free to hire different doctors, for any treatment they liked. This is a far cry from "No Exit," let alone the gestapo bursting into medical offices to arrest physicians who take money from patients. No wonder Kaus's final verdict on McCaughey was so scathing: "she completely distorted the debate on the biggest public policy issue of 1994."

And there the matter has rested. Not long after her article appeared, McCaughey was elected lieutenant governor of New York. (Running as a Republican, she switched in 1997 to the Democrats, and later ran a disastrous campaign for governor as the candidate of the obscure Liberal Party.) In the years since, McCaughey's essay has received offhand attention. A 2002 *Harper's* article by Lee Siegel remarked in passing that her analysis was "riddled with falsehoods and fabrications." But the only sustained discussion of the McCaughey affair I've been able to find is a

chapter in James Fallows's 1996 book *Breaking the News: How the Media Undermine American Democracy*.

Fallows persuasively debunks the view that Clinton's health plan failed because it was conceived in secrecy. (This charge was often leveled in the immediate aftermath of the plan's demise, but as Fallows writes, "few people registered this complaint when the health-care task force was actually doing its work.") Fallows points to other reasons for the plan's undoing, including the Clintonites' failure at managing the press, time-consuming wrangling with Congress over a budget bill, and the inevitable opposition from the insurance industry. But Fallows ultimately singles out McCaughey's "dramatic impact." He crisply captures her article's central misrepresentation by noting that she failed to distinguish between "what the government would *pay for* and what it would *outlaw*." Fallows's conclusion regarding McCaughey is damning. Her distortions, he writes, came from "either an accidental or a deliberate failure" to report what the bill really said.

Fallows's book is a work of media criticism. As such it has been ignored in the cultural war over the historical legacy of the Clinton presidency. Memoirs, biographies, doorstopping historical tomes: these are the places where a president's place in history is secured. Such sources to date have paid little attention to McCaughey's role in the demise of one of Clinton's

central pieces of legislation. McCaughey's name appears neither in the index to Sidney Blumenthal's *The Clinton Wars*, which defends the Clinton legacy, nor that of *Bill Clinton: An American Journey*, by Nigel Hamilton, which attacks it.

This is a serious omission, and worth correcting simply as a matter of historical accuracy. But the health-care debate is far from over. Americans who care about any decency in political discourse deserve a full accounting of the role McCaughey—and *TNR* editor Sullivan—played in defeating a policy initiative that is once again a political issue: every Democratic candidate in the 2004 presidential race has campaigned on some version of health-care reform.

What is at issue is not that McCaughey and Sullivan attacked the bill. It was how they went about it. Many objections to the Clinton bill were made, from those who preferred a single-payer system to Republican Senator Phil Gramm, who proposed a plan which encouraged people to go without any insurance except for "catastrophic" medical expenses. Such objections came from various points on the political spectrum (in Gramm's case, a ridiculous one), but they weren't self-contradictory on their face. Sullivan's contribution, on the other hand, was logically incoherent: he ran two conflicting articles, only one of which could be true.

This was powerfully brought home by a letter that arrived after

McCaughey won her award. I well remember it coming through the *New Republic* fax machine. The letter was written by Gregory Curtis, for twenty years the editor of *Texas Monthly*, and named by the *Columbia Journalism Review* in 2000 as one of America's ten best magazine editors. His scorching objection deserves to be placed on the historical record:

April 27, 1995

To the editors:

I was on the panel of judges for the National Magazine Awards and cast my personal vote in the public interest category for the entry from the *New Republic*, "No Exit" by Elizabeth McCaughey. I did so because I thought it was the magazine article that had the greatest effect on public policy in 1994. I first read "No Exit" and McCaughey's subsequent reply to administration critics of her article (the reply was also part of the entry) when they appeared in the *New Republic*. They were convincing to me during the judging of the awards. Perhaps I was right to be convinced, perhaps not. But I now know something for certain: I was wrong to believe the *New Republic*.

Your magazine endorsed Bill Clinton. The health care plan was a central, if not the central, piece of legislation of Clinton's presidency. You put a devastating story about the health plan on the cover and then, a few issues later,

heralded McCaughey's reply to her critics with the cover line "Elizabeth McCaughey: White House Lies." *Lies!* How could a magazine endorse a story and its author more strongly? As a reader I assume that such endorsement means, at the very least, that the basic facts in the article will be correct. Now I read Mickey Kaus saying in the *New Republic* that, among other important errors, McCaughey was wrong when she said that the Clinton plan would not allow a patient to pay his doctor directly for medical care but must allow the doctor to be paid by the government plan. Her errors, Kaus writes, "completely distorted the debate on the biggest public policy issue of 1994." But where was Kaus when the story came in? Didn't anyone there bother to check McCaughey's citations to see if she was accurately reading and quoting the plan? It couldn't have been that hard. If it turned out that you slipped up and McCaughey's story was wrong, you should have said so yourselves back then rather than waiting for Kaus to shoulder the load at this late date. Then again, how does a reader know that Kaus is right? Did anyone there bother to check his story when it came in?

I am not talking about the difference of opinion between McCaughey and Kaus. A magazine is a chorus of many voices. There is lots of room for disagreement. But that's not the

problem here. Clinton's plan says what it says. Any article on that plan must be based on accurate statements about what the plan says. Making sure that an article is accurate is one of the things an editor does. If you are not going to do that for a cover story on a central piece of legislation by a president that you endorsed, if you are not going to do that for a follow-up in which you call the administration liars, when are you going to do it? If Kaus was wrong and McCaughey is right after all, then how could you have published Kaus's column? I can imagine a good magazine publishing neither McCaughey's story nor Kaus's story. But I cannot imagine a magazine with respect for its readers publishing both.

Yours,
Gregory Curtis

Curtis's logic is impeccable. One can edit and publish an article that says the most important legislation of the Clinton era denied Americans a right to pay a doctor for medical care, or one can edit and publish an article saying the legislation emphatically did allow Americans to buy medical care, but one cannot coherently advance both views. Curtis's letter resembles nothing so much as an old-fashioned *TNR* takedown in which the victim himself reaches for the noose. Only this time the magazine and its editor are not the administrators, but the victims.

Perhaps that's why the letter was never published. I kick myself in hindsight for not using what small influence an intern had to lobby otherwise. But it deserves to be considered now by any historian who, reviewing the health-care debate, is tempted to take seriously Sullivan's taunting invitations to the White House to join McCaughey and *TNR* in "as honest a debate as possible." The letter should similarly be borne in mind by anyone recalling editorials written by Sullivan that denounced the Clinton plan as the creation of "a secretive few." There were plenty of secrets to go around.

Curtis's letter made plain that what was ultimately at issue between Kaus and McCaughey was not an opinion, but a fact. What was the actual language of the bill regarding payment for medical treatment? This fact is checkable: the plan is still available online. Anyone who looks it up will quickly come to section 1003, which outlined one of the bill's central principles. Any interested party can read for himself: "Nothing in the following shall prohibit: 1) any person paying a doctor for *any* medical service" (emphasis added). Kaus and Fallows were right. McCaughey was dead wrong. She had written that "the Clinton bill will prevent people from buying the medical care they need." And this was her reactionary moment.

Even more so than Glass, McCaughey illustrates the central thesis of Hirschman's book. For

there are actually three kinds of prejudgment discussed in *The Rhetoric of Reaction*. They are identified in the book's subtitle: *Perversity, Futility, Jeopardy*. The jeopardy thesis, Hirschman writes, is the claim that "the cost of [a] proposed change or reform is too high as it endangers some previous, precious accomplishment." Hirschman painstakingly shows how the jeopardy argument, just as much as perversity and futility, has its own sorry history of abuse. His discussion is particularly fine in documenting how widespread such abuse was during the rise of democracy. Before the passage of England's 1832 Reform Bill, which gave the vote to urban men who paid annual property taxes of ten pounds (still excluding over 90 percent of the male population), there was enormous opposition. It was said that the king, the aristocracy, even England itself, would all be swept away in a cataclysm of democracy. Thirty-five years later, when the Second Reform Act proposed to extend the franchise to all male homeowners who had lived in their town for a year, the proposed reform once again led to widespread claims that civilization would be imperiled. As one such parliamentarian said, the act would "destroy one after another those institutions which have secured for England an amount of happiness and prosperity which no country has ever reached, or is ever likely to attain."

Jeopardy claims are slightly different from those involving perversity

and futility. The jeopardy prejudice draws its force from an alleged threat to some already existing good. In McCaughey's case, her cherished good was the right of patients to pay a doctor for medical care out of their own pocket.

Leave aside that this excluded millions of Americans who can't afford to pay a doctor anything. Leave aside that her cash-on-the-barrel ideal had long ceased to be the norm—even among Americans who could afford health insurance. Leave aside that Clinton's plan would actually have *increased* choice and bargaining power for those already insured. Leave aside that compared to Canada and many other places, Clinton's plan allotted enormous scope to individual financial transactions. Leave aside that McCaughey wrote her own taxi story falsely depicting a law as the real menace, counterproductive to the point of physical danger. On her central point the bill said the opposite of what McCaughey claimed. In an act of high demagoguery, she injected a toxic political stereotype into the debate. And this time, the false claim of jeopardy was enough to kill the reform.

In January 2003, Tom Wolfe wrote a history of the Manhattan Institute in the *New York Post*. Wolfe took special care to single out McCaughey for praise:

In 1993 [sic] a 35-year-old senior fellow named Elizabeth McCaughey, as obscure as [Insti-

tute fellow Charles] Murray had been 11 years earlier, wrote an article for the *New Republic* on what she discovered in a close reading of the 1,431-page [sic] document containing the Clinton Health Care Plan: Namely, that it would put every citizen in a single government-operated HMO. That one article shot down the entire blimp, and Betsy McCaughey became a 35-year-old Cinderella. One of the richest men in America chose her as his wife, and George Pataki made her lieutenant governor of New York.

The admiring tone, the list of laurels and roses strewn at McCaughey's feet—Wolfe's chronicle is only in keeping with the rewards that continue to be extended to McCaughey. Now a fellow at the Hudson Institute, she still writes frequently on health care, under a byline that inevitably describes her as an award-winning analyst.

During the health-care debate Republican analyst William Kristol urged conservatives to oppose Clinton's bill "sight unseen." Anyone taking such a view may be inclined to shrug at McCaughey's distortions, and say that her scandal was no scandal at all. But Kristol made no pretense of judging the plan on its merits, and rejected it on the crudest partisan grounds. This stance is contemptible for its own reasons, but compared to McCaughey the honesty, at least, is refreshing.

McCaughey purported to offer a careful, fair-minded and, more than anything, accurate account of what the bill said. Damning her for gross distortions does not invoke a particularly left-wing standard. But those of us who supported Clinton's goal of universal coverage will see an even deeper transgression. We have to reckon with a question about Glass and McCaughey's falsehoods that has never been asked: what were the effects? Glass often made up imaginary characters, writing lies about, at most, a few dozen actual people. His primary betrayal was of his colleagues and the readers of his magazine. For that he deserves his place in hell. But Glass did not win awards. He was not elected to political office. And he did not have a devastating impact on a legislative decision of the government of the United States. A decision that continues to deny millions of people a basic entitlement of justice: the right to have their health insured, whether they are rich or whether they are poor.

Our fascination with the psychology of deception imposes a narrow limit on what is chronicled as a saga of journalistic disaster. No one will write a screenplay on Elizabeth McCaughey. She will never have to confess on television, beg for forgiveness in a novel, have her name written in infamy again and again and again. The only way forward for McCaughey is up. We may be scandalized by deceptions that involve dramatic protagonists. But when it comes to dramatic conse-

quences—there we see no scandal at all. ✱