Confessions of a Presidential Speechwriter

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Published by Michigan State University Press

Smith, Craig R.
Confessions of a Presidential Speechwriter.
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CHAPTER TWELVE

President of a National Foundation

On Super Bowl weekend in 1983, I left Detroit, drove a rented car to my Pennsylvania house, and had a heart-to-heart talk with John Macksoud about my future. At age 38, my life could be described as restless. I’d worked on three campuses, held several political positions, moved to Detroit, and done some moonlighting with the networks and George H. W. Bush. Sometimes I had to move on, as in the case of San Diego State, the University of Virginia, and Ford’s loss of the presidency. But in other cases, such as leaving Birmingham, I had made the decision to leave even though I had been offered a damn good position. Being closeted, I continued to feel like a fish who couldn’t find a suitable pond. That feeling contributed to the need for change. However, the moving and resituating further enhanced the feeling of being apart from others.

John provided some comfort by telling me he was happy I’d gotten the business world and the political world out of my system, and thought I could do some real good for freedom of expression in America. I would be returning to a place that had been my home twice before, the Washington, D.C. area, and I was happy to be running a nonpartisan think tank that was closer to my academic roots than the business or political environment. Maybe something permanent was finally coming together for me.

I drove through a tremendous snowstorm a day later, arriving in Arlington just in time to watch and celebrate with old friends the Redskins’ victory over the Dolphins in the Super Bowl. That Monday I moved into a twelfth-floor apartment in Madison House; it had a great view down the Potomac toward Mt. Vernon and was within walking distance of the Metro line and quaint Old Town Alexandria.
I completed the legal work to set up the Freedom of Expression Foundation with the help of Paul Berger, Packwood's pal from law school. The advisory board included such luminaries as Katharine Graham, the publisher of the *Washington Post*; Arthur Ochs “Punch” Sulzberger, the publisher of the *New York Times*; Thornton Bradshaw, the head of RCA and hence its subsidiary, NBC; Jack Valenti, the head of the Motion Picture Association of America; Richard Munro, head of Time-Life Incorporated; Alan Neuharth, the head of *USA Today*; Eddie Fritts, the chubby president of the National Association of Broadcasters; Bob Erburu, the CEO of the Time-Mirror Corporation; Larry Jinks of the Knight-Ridder chain; Charlie Brown, head of AT&T; Tom Wyman, president of CBS; Drew Lewis, CEO of Warner/American Express; Robert Marbut, CEO of Harte-Hanks Communications; Thomas Wheeler, head of the National Television Cable Association; Thomas Krat tenmaker of Georgetown Law School; and Leonard Goldenson, the founder and head of ABC. Hard to beat those creds.

As I dealt with the executive assistants of each of these media moguls, it became apparent that their companies were not going to contribute what they had pledged to Packwood in one lump sum. They were going to pay in yearly installments. So the $250,000 from AT&T became $25,000 a year. The $30,000 from the networks and large newspapers became $10,000 a year for three years with an option to renew. At first I was taken aback by this news, but in the end it worked to our advantage. No one contributor could dominate our operations. Furthermore, I was forced to find other contributors, which greatly broadened our coalition and our funding base. For example, the regional Bell operating companies each came on board for $10,000 a year.

The second thing the executive assistants told me was that we needed a two-tier system for board members. Katharine Graham was not going to sit on the same board with lobbyists like Fritts, Wheeler, and Valenti. So we put the association lobbyists on a “Policy Advisory Board,” and the owners of famous entities, such as CBS and the *Washington Post*, on the “Research Advisory Board.” The word “advisory” was crucial to my way of thinking because it prevented the boards from running the foundation; they could only “advise” it.¹ Both boards met together once a year. Senator Packwood ran the board meetings in his office at which I discussed strategy.

To attract board membership, Mrs. Graham agreed to host advisory-board dinners at her famous house on R Street in Georgetown after the work meetings in Packwood’s office. As I entered Mrs. Graham’s home for the first dinner, I saw on a side table a small, discrete black-and-white photo of her husband, Philip Graham. He had committed suicide in the house in
the late ’50s, and that’s when she took over the company. Against all odds, she prevailed and improved the newspaper, which survived all of its rivals. It was the toast of the town in the Kennedy-Johnson era, but won two ears and a tail when it brought Nixon down over the Watergate cover-up.

The bright green back lawn sloped down toward the Potomac River; there, we sipped cocktails and watched the sun go down. In the large dining room, Mrs. Graham headed one table of guests and insisted that I sit next to her during our first dinner. Senator Packwood headed the other table, and then at dessert time we would play musical chairs and be reseated next to someone new. Over the years around the two intimate tables, I was privileged to hear Jack Valenti tell stories about Lyndon Johnson, Jackie Onassis, and John Kennedy. Drew Lewis revealed his ambition to be on Reagan’s Cabinet. Leonard Goldenson talked about the founding of ABC. Tom Wyman was very interested in my experiences at CBS News.

Mrs. Graham’s graciousness and candor enhanced her hosting abilities. One evening at the beginning of dinner, a hot pâté smeared onto a slice of pear arrived. It was supposed to be an appetizer. She took one bite and said to me, “I don’t think this is very good. What do you think?”

“The combination doesn’t work, I’m afraid.” She quickly exited and then returned. The appetizers were replaced seconds later.

Making the Freedom of Expression Foundation into a credible force was hard work. The advisory boards gave us clout and opened a lot of doors; but the staffs of the trade associations were reluctant to give up power and follow my lead. I assembled a small, loyal staff. Joel Bolstein, from the Senator’s Commerce Committee staff, would do the research while he attended law school at night. Johnny would intern over the summer of ’83 while on break from Fordham Law School. Most important, I brought in my high school buddy Tom Luhnow from San Francisco, where he lived with his partner. He would do all the inside work: payroll, taxes, audits, and the like. Tom was a superb writer and I trusted him to edit all my prose from fundraising letters to books. It was also great to have someone to confide in. Tom and I often commiserated over the AIDS pandemic. The Christian Right took the crisis as a sign from God that homosexuals were going to hell. Heterosexuals got anxious when they learned the disease could spread to them. Scare tactics were pervasive and we all lived in fear. The mere possibility that you might be gay often sent people running. It was a dark time—almost a whole generation of gay people would be lost.
RUBBING ELBOWS

Thanks to our board members and Senator Packwood’s clout, I was invited by ABC to the White House Correspondents’ Dinner on April 23, 1983, in the Washington Hilton. The table included Congressman Edward Markey (D-MA) of the House Commerce Committee; he was handsome and articulate and very ambitious. He would soon become an arch enemy because he favored regulation of the content of the broadcast news media. Senator Packwood’s former chief of staff Mimi Dawson, now from the Federal Communications Commission, was at the table and rather surprised that I was there. And sitting next to me was one of ABC’s big stars, Barbara Walters, who looked much younger and even more attractive than she did on television. She and I got into a debate about the media declaring presidential elections before the polls had closed in all states. “I thought it was awful that the networks, including ours, would call Reagan the winner before West Coast polls had closed,” she argued.

I replied, “The study we did at CBS News showed that equal numbers of Democrats and Republicans stayed away from the polls on the West Coast on election night in 1980. Calling Reagan the winner didn’t make a difference in terms of party turnout.”

“But that means there was a lower turnout in the West than the East.”

“What is wrong with that?”

“Well, I just think the more people who vote the better.”

In response, I revisited my anti-democratic side. “I don’t want people voting who don’t really care about the election. Most of the voters are pretty ignorant of the issues.”

Mimi intervened and changed the subject, asking Walters what her key to success was. She answered, “Perseverance. I just never give up until I get the interview. That’s how I got to Castro when no one else could.” There is something to be said for that.2

Other perks became common. I was a guest of ABC whenever the Monday Night Football game was in Washington, D.C., which was great because I was a huge Redskins fan. George Allen was the coach of the L.A. Rams, my favorite team when I lived in California. When I moved to Virginia in 1973, Allen took over as head coach for the Redskins. He never had a losing season and won a couple of Super Bowls.3 CBS had me in as a guest at the U.S. Open Tennis Tournament in Flushing every year, which was a thrill. NBC invited me to the taping of their Christmas in Washington show.

In the meantime, I ramped up the foundation’s research agenda to enhance its credibility. The foundation’s first research monograph was
a book by John Armour called *Substance and Shadow*, which laid out the Founders’ understanding of the First Amendment. I got a grant from the National Association of Broadcasters to go on a national lecture tour, and used my campus connections to get booked here and there. I lectured on the evils of the Fairness Doctrine at the University of Texas Law School one morning, and then on rhetorical theory for their School of Communication that afternoon. I returned to Penn State for a lecture to the Broadcast and Speech Departments, which allowed me a side trip to visit with John Mack-soud at our little house on the hill in the woods. I was the guest speaker for South Dakota State’s Journalism Day, and lectured at Rider College’s Department of Journalism and then threw in a free lecture for the Philosophy Department on Heidegger for my old tennis buddy from Birmingham, Professor Bob Good.

Often campuses would invite speakers to debate me on whether the Fairness Doctrine should be repealed, and pay for the opponent’s travel. The practice of paying people to come in and interrupt what was essentially my gig annoyed me, so I tended be merciless in these debates. One of them was carried statewide in Utah from the BYU campus in Provo. I had great fun pointing out that if a broadcaster called for a law outlawing prostitution, he would have to provide under the terms of the Fairness Doctrine contrasting views from a representative of the prostitutes. Many a Mormon in Utah became an opponent to the Fairness Doctrine that day. We were eventually able to get enough money to the NAB to videotape my four major lectures, each with a different introducer. These included Dan Rather from CBS, Tom Jarriel from ABC, Tom Brokaw from NBC, and Daniel Schorr, then at NPR. Gannett, publisher of *USA Today*, gave us a grant to write up study guides for a course in First Amendment law to accompany the tapes we distributed to campuses. More contributors joined the foundation, including GTE, Newhouse Foundation, American Express, Getty Oil, Pulitzer Broadcasting, Cox Communications, Com-sat, Hubbard Broadcasting, Playboy, Pulitzer, Scripps-Howard, Western Union, and yes, Chrysler.

In raising these funds, I learned several lessons. First, I had to make the pitch for the funds to the decision maker. No one else could explain the foundation’s purpose, answer tough questions, and demonstrate how it worked to the contributor’s advantage. When I went to J.C. Penny Company, I met with a vice president who assured me the foundation would be funded—after all, Sears had joined—but he would take the pitch “upstairs” for me. We never got a cent from J.C. Penny. For a long time I tried to get a meeting with John Kluge, the media mogul who ran Metromedia
Broadcasting. Finally, I was seated next to him at a luncheon and made my pitch. His response: “Why didn’t you come to me sooner?”

“Because I couldn’t get through your gatekeepers.” Kluge not only became a donor, but treated me to the best seat in the house for *Cats* in New York City, a musical he had helped to produce.

Second, professional fundraisers are useless. Most of them won’t work on commission because they know they can’t raise you much money. They also rely on you to write their pitches for them, which they then take to the same people they have hit on time and again, or ones you supply to them. They rarely master enough information to answer difficult questions during their pitches.

Third, a famous board gives you enormous credibility. Few people in the media business had more credibility than Katharine Graham or Thornton Bradshaw. People wanted to meet them and would contribute to get that opportunity.

Fourth, have a patron with clout. While controversial, Senator Packwood was in an important position. The law says that people can pay for access to a member of Congress; they can’t pay for influence. Talk about splitting hairs. In a classic case of how this worked, the executive director of the MacArthur Foundation, which funds the famous genius grants, wanted to meet with Senator Packwood to discuss a tax problem that his foundation faced. Senator Packwood, as a member of the Senate Finance Committee, could solve that problem. The executive director made a $25,000 grant to the foundation, and of course, *totally unrelated* to that, was given *access* to Senator Packwood.\(^5\)

To raise money for the foundation, the Senator traveled to various locations. If the speeches went well, he would drink with me late into the evening. Like many other workaholic perfectionists, Senator Packwood’s drinking was in direct proportion to his sense of accomplishment. On one occasion, after a speech at ABC headquarters in New York, Senator Packwood, two ABC lobbyists, and I sat down for drinks at a table in the bar of our plush hotel. After the first drink, the Senator told the lobbyists to “buzz off, because I need to talk to Craig about some strategic matters.” As they left, I smiled to myself thinking how nice it was to be the Senator’s close advisor. He burst that bubble when he said, “You see those two women at the bar?”

“Yeah.”

“They are prostitutes. Let’s take them up to our rooms.”

I was stunned. So that’s why he wanted the lobbyists to leave. More surprising, he must not have guessed that I was gay. I had been better at hiding
my true identity than I thought. After I recovered, I responded, “I don’t do that sort of thing.” I looked over at the women, who were fashionably dressed in black, arms and shoulders bare, their spiked heels hooked into the bottom of the bar stools. When the Senator left the table, I finished my drink and went upstairs to my room, hoping to get some rest. I was finally beginning to fall asleep when I heard a key in my door. A drunk ABC executive who had been at the dinner flopped through the door holding onto a young man in a tuxedo. “Excuse me!” I yelled. The executive quickly apologized and vanished. Good lord, I thought, everyone’s having fun tonight but me.

By this time, we were renting a townhouse a block south of the Capitol. The house had once been owned by Congresswoman Millicent Fenwick, made famous in Gary Trudeau’s Doonesbury as Lacy Davenport. She had been a star at our Tidewater conferences before she resigned her seat in 1982 and made an unsuccessful run for the Senate. It was fun to explore the neighborhood of the House side of Capitol Hill. It had its pubs, like the Hawk and Dove (which only recently went out of business), quaint row houses, the National Republican Congressional Committee, and St. Peter’s Roman Catholic Church, a gem into which I often retreated.

The House side of the Hill is different from the Senate side. Its bars are funkier and more down to earth. Clientele are younger because House aides tend to be younger than Senate aides. Remember, House members serve two-year terms; senators serve six-year terms. So there is more turnover on the House side and the salaries are lower. Having regularly to trek over to Packwood’s office on the Senate side or to lunch with a lobbyist, I could see the difference on a daily basis at the upscale restaurants, such as La Brasserie, with an older crowd sitting along Massachusetts Avenue. The Senate side also had the advantage of being closer to Union Station for quick trips to New York on the Metroliner.

By the end of 1983, I was secure enough in my job and had enough money in the bank to buy a condo in my building on the Potomac. So I left my rented 12th floor view and moved down to a smaller 6th floor place. It faced north, so neither the light nor the view were as good. But it was mine, and it began to appreciate in value as the economy recovered and we moved into the Reagan boom years created by “voodoo”— that is, “supply side”—economics.
Chapter Twelve

KILLING THE FAIRNESS DOCTRINE

Now that we had completed the research necessary to establish the foundation’s and my credibility, Senator Packwood and I decided to hold three days of hearings (January 30, February 1 and 8, 1984) on legislation (S. 1917) to repeal the Fairness Doctrine and its corollaries. Coordinating the three days of hearings was not easy, but when it was done, all sides were heard from, and Senator Packwood could revise his legislation and take it to the full committee for a vote. John Armour and I kicked off day one of the hearings, which was dedicated to scholars, historic research, and constitutional arguments. Armour and I covered the original intent of the colonial founders of the nation with regard to freedom of expression. When I finished my testimony, Senator Barry Goldwater joked that he didn’t “go back to the colonial days” but nonetheless had some questions. At the end of the exchange, Goldwater agreed to cosponsor our legislation, eventually writing a preface to a study of mine on a completely different topic, the famous Compromise of 1850, which saved the nation from civil war for a decade.

Later on the first day of hearings, such notable scholars as Thomas Kratzenmaker of Georgetown Law School testified that the “Fairness Doctrine and its corollaries” were unconstitutional. A passel of deans of schools of journalism took the same position, as did the Society of Professional Journalists. The chief scientist for the FCC chimed in that the Supreme Court’s argument from 1969 that the airwaves were scarce no longer applied. Technology had solved the problem of narrow bandwidth, and cable was now available to most Americans.

The next day, those who favored the Fairness Doctrine were sandwiched among more legal experts. We started with the Pentagon Papers lawyer Floyd Abrams, who gave a strong boost to our position. Then came archconservative Elaine Donnelly, executive director of the Eagle Forum, who bragged that she used the Fairness Doctrine to defeat the Equal Rights Amendment for women. Senator Packwood questioned her extensively on how she had intimidated broadcasters into stopping their editorializing in favor of the ERA. She was so proud of what she had done that she failed to realize that she had just given us a terrific reason to do the Fairness Doctrine in.

From the left, Robert Gerz represented Ralph Nader, arguing that he couldn’t get his argument in favor of airbags on the air without the Fairness Doctrine. I would later debate Ralph Nader at a forum in which he insisted that I speak first, that I give him a copy of my remarks a day ahead of time, and that there be no rebuttals. I conceded every point and the audience
still thought I won the debate. Nader is a lousy speaker and an even worse debater. At one point, he compared me to Ronald Reagan, as if that would do me damage. The debate was printed in the *Free Speech Yearbook* after he was allowed to edit his transcripts.9

After the second day of testimony, we succeeded in conveying to a sympathetic press that our position was the responsible course that was opposed by extremists on the left and right. The third day of the hearings was the kicker. We brought in our high-powered broadcasting stars to attack the doctrine. James Batten, the head of Knight Ridder, testified—as did many others, including Bill Small on behalf of the Associated Press. But the hero of the day was Eugene Wilkins, a station manager in Spokane who got caught in the Catch-22 of the Fairness Doctrine. When the city voted to bring an international exposition to town, Wilkins’s station supported the move, as did the local environmental group. But eight members of that group broke away and demanded that their opinion be put on the air as a “contrasting view.” Wilkins refused, arguing that the splinter group was not a responsible minority that had standing under the Fairness Doctrine criteria. The splinter group filed a complaint with the FCC, which immediately began an investigation of Wilkins’s station. The station was exonerated, but Wilkins was fired because of the legal bills the station incurred.

The hearings helped our efforts. However, the legislation was only one leg of a complex triangle. Reagan had appointed Mark Fowler, a former broadcaster, to head the FCC, and he was looking for a case to bring before it so that he could suspend the Fairness Doctrine. He found the case in Syracuse, New York, when a station (WTVH) owned by Meredith Broadcasting refused to provide response time to Nader, who opposed nuclear power. The FCC in upholding the station’s position effectively suspended the doctrine. Nader appealed to the D.C. Court of Appeals and the battle was on. We might now win in court and not need to win in Congress.

The third battle began with the development of a new technology called “teletexting.” This allowed a television channel to scroll the news in hard print across its screen. Nader demanded that the FCC apply the Fairness Doctrine to the new technology. The FCC refused and that case was appealed to the D.C. Court of Appeals. It landed in the lap of a three-judge panel headed by Judge Robert Bork. He not only sided with the FCC, but wrote a very persuasive opinion undercutting many of the tenets of the 1969 *Red Lion* case. Nader appealed the ruling to the full fifteen-member Court of Appeals, which then sat *en banc* to hear oral arguments. They sided with Bork. At that juncture, the Fairness Doctrine had taken two hits and was sinking fast.
Early in 1984, Senator Packwood had become head of the powerful Senate Finance Committee, the chief tax-writing body in the Senate. That helped us raise money for the foundation; however, the Senator did much less for us than he could have. There were two reasons: First, though it was perfectly legal to pay his expenses when he spoke on behalf of the foundation, he refused to accept any funding, fearing it could be seen as unethical. Second, Senator Packwood’s top priority was raising money for his reelection campaign in 1986.

He continued to offer me as a substitute for him when he received invitations he could not fulfill due to work in Washington. On one such occasion, I flew to Medford, Oregon, by commercial jet, and then was flown in a single-engine plane from Medford to Gold Beach on the coast. In front of the Oregon Logging Association, I was to speak about presidential campaigns. I could see that the group was disappointed that the Senator had not come. Nervous, I spoke on the beach in front of a bonfire at nightfall. The crowd warmed to me slightly during the host’s introduction when they learned I had been a presidential speechwriter for President Ford. I began by saying, “You have no idea how hard it is to write speeches for a man with an 80-word vocabulary.” That broke the ice, and the anecdotes about presidential campaigns that followed cheered them even more. They invited me back in the following year.

I also kept my iron in the scholarly fire. I continued to publish articles on how language can help people connect with spirit, and how interrelational existentialism can grow out of joint artistic projects or partnerships. The latter article, completed with Paul Arntson at Northwestern University, explored how couples inspired one another to transcendent spirit. These included George Sand and Frederick Chopin, Vincent Van Gogh and Paul Gaugin, and William Wordsworth and his sister.

THE 1984 PRESIDENTIAL CAMPAIGN

In the summer of 1984, it was time for the political conventions. Meeting in San Francisco, the Democrats nominated Walter Mondale, Carter’s vice president and the former senator from Minnesota. He surprised the country by picking Congresswoman Geraldine Ferraro of New York as his running mate.

Given my work for the GOP, I was precluded from covering the Democratic Convention for CBS. However, I was called in to work at the Republican
Convention, which took place in sweltering Dallas starting on August 20. Just as the convention began, a young man named Gregory Johnson burned an American flag on the steps of the convention hall. He was arrested for violating a Texas law against desecration of the flag. His case eventually went to the Supreme Court, where in a narrow 5–4 ruling, his right to engage in “symbolic speech” was said to be protected by the First Amendment. That I was there and witnessed the burning gave my lectures on First Amendment law a new sense of reality for my audience.

This convention was Dan Rather’s first Republican Convention in the anchor booth. In a rare moment of humility, he claimed that he needed my knowledge of conventions in general and Republicans in particular. As I’ve shown, his approach was different than Cronkite’s, in part because by 1984, there was not much news being made on the floor of the highly scripted conventions. Much more time would be spent on interviews in the anchor booth featuring Rather. I found this approach frustrating because instead of watching the convention, we were watching the Dan Rather Show. I had my own little booth below Rather’s from which I could spot people on the floor of the convention for our reporters, and also provide research and tips to Rather over a headset.

On the Sunday leading into the convention, Rather let me sit in on the Evening News set. CBS president Tom Wyman was there and we talked about the foundation. On Monday, Rather had a sit-down with all the reporters, and I sensed that Leslie Stahl felt very threatened by the new kid on the block, Diane Sawyer. Rather interviewed Ford in the anchor booth during our live coverage, and I was able to give him a brief hello on his way out. On Tuesday, I started the day by beating Warren Mitofsky at tennis in the insufferable heat. I spoke to the students visiting from the Washington Center, and then listened to the Ferraro news conference focusing on her husband’s tax problems. I briefed Rather on Vice President Bush for his interview that evening; this interview would be much friendlier than the confrontation the nation was to witness four years later.

The last two days of the convention were fairly boring until Rather made a crack about me. Not knowing that I could hear the conversation, Rather told the executive producer that a story I gave him was probably inaccurate because “Craig is kind of a right-wing nut, isn’t he?” Having failed to get an appointment in the Reagan administration because I was a moderate and too close to Senator Packwood, I exploded at the remark. Rather and I settled our differences later over coffee. But we argued again when he asked me how the convention was going, and I complained that we had missed several important stories while he interviewed people in the anchor booth.
The stories included gold medal winners from the Olympics endorsing Reagan, and Rosey Grier, the man in whose arms Robert Kennedy died, coming forward to explain why he had converted to Republicanism! Worse, though they had showed the film introducing Mondale at the DNC, CBS refused to show the film introducing Ronald Reagan, and we later learned that millions of viewers turned to the other networks so they could see the film. Rather was advancing an ideological agenda and it was not Republican.

We did get one scoop. As Reagan gave his acceptance speech, I noticed that something was wrong and told Rather to pay particular attention. “What do you mean?” he asked.

“He’s off his rhythm. It’s not like him.” Near the end of the speech, Reagan lost his place and went off script. We had advance copies of the speech in front of us. Since it was part of my MA thesis, I realized where he was going. He started talking about there being no real Left or Right, there was only an up or down. And America must always stay on the upward path. I told Rather to report that Reagan had lost his place and fallen back on the speech he had given on behalf of Barry Goldwater twenty years earlier during the 1964 presidential campaign. We scooped everybody on the story.

But when Ray Charles was led to the stage by the Reagans to sing “God Bless America,” CBS again cut away. This move was particularly prejudicial in light of the fact that CBS had covered Jennifer Holiday closing the Democratic Convention. Knowing she was a Republican, I took Diane Sawyer aside and complained about the situation. She was as mad about it as I was, but didn’t yet have the clout to do anything.

Back in Washington in the fall, I sent advice to George Bush about his impending debate with Geraldine Ferraro. The press was saying he couldn’t win. If he was aggressive, he would appear to be bullying Ferraro. If he was nice to her, all those stories about him being a wimpy Ivy Leaguer would come back to haunt him. When Reagan performed badly in the first debate with Mondale, the pressure on Bush was enormous. I advised him to stick to the issues, to ignore Ferraro at all costs, and to look straight into the camera after acknowledging the question from a reporter. “Kennedy ignored Nixon in the first debate of 1960 and played to the audience.” If you watch a videotape of the Bush-Ferraro debate, you’ll see that Bush followed my advice until about three-quarters of the way into the debate.

For her part, I learned that Ferraro had changed clothes many times right before the debate, unable to decide what to wear. She settled on a fluffy suit with large houndstooth squares that made her look like a grandmother. Throughout the debate, she continually looked down into her lectern, obviously bothered by the television lights, which led people to believe she was
reading prompting notes. And then Ferraro made a naïve comment about foreign policy. Bush couldn’t resist. He turned toward her and said, “Let me help you with that, Geraldine.” I put my head in my hands while he gave her a lesson in foreign policy.

She looked straight at him in her reply. “Don’t you patronize me, Mr. Bush. I don’t have to know war to love peace.” It was her best and his worst moment. That night and the next day, Bush was declared the winner of the debate, but that one moment was played over and over again in news reports. As usual, the news media was looking for zingers that would arouse their audiences; reporting on the substance of the debate was more difficult and less interesting.17

After his failure in the first debate, Nancy told Reagan’s advisors to “Let Ronnie be Ronnie.” And in the second debate, the old Reagan was back. He demolished Mondale, who for some reason wore tons of makeup and it showed. Reagan and Bush soared in the polls, but more among men than women.

For election night 1984 at CBS in New York, Diane Sawyer requested that I work with her. It was a natural move for me because she was taking over John Hart’s role at the Trend Desk, and I had worked with him on previous election nights. It would be her first election night for CBS and she wanted to do well. She had worked for Nixon and followed him into his exile to San Clemente. She was there when David Frost finally broke through to Nixon’s guilt during their famous interviews. She and I became a solid team. At the time, she was dating Richard Holbrook, who was making a name for himself in the Reagan State Department. I was surprised because, to put it kindly, Holbrook was not the prettiest peach on the tree. So I wondered what Sawyer saw in him. “Oh, Craig,” she responded, “he’s sooooo bright.” He was also her secret source for lots of stories. When she later married Mike Nichols, I understood why. He too is very, very bright.

On election night, our job was to develop stories from material gleaned from the exit polls: how were Catholics, or blue-collar workers, or African Americans voting. Diane was a team player and kept morale high among herself, me, and Andy Haywood, her producer. She seemed like a young coed as she worked with us. We giggled and laughed. She even gave me a shoulder rub at one point. Then when she went on the air, astonishingly she became Grace Kelly, the epitome of cool sophistication. Her seriously furrowed brow is visible to this day on the ABC Evening News.

Our most effective story of the evening was on how self-identified “computer nerds” were voting. About 80 percent of them voted for Reagan, and
Diane speculated that it was because many computer enthusiasts were libertarian and individualist. On election night 1986, I would return and work with her again.

REAGAN’S SECOND TERM

On January 20, 1985, the CBS trailers were parked on the West Lawn of the Capitol grounds in preparation for one of the coldest inaugurals ever. The temperature was minus 5 degrees, with a wind chill of minus 25. The pipes in the foundation’s townhouse were frozen. It was as cold as anything I’d seen in Chicago during my frigid stay there in 1979. This was not supposed to happen in Washington, D.C. It was decided that Reagan and Bush would be sworn in at the White House on Sunday, and then Reagan would give his Inaugural in the Capitol Rotunda on Monday the 21st.

CBS brought me on board to work with Dan Rather for this inauguration. I was in the booth with Rather early on inauguration day, having prepared a briefing book on the history of inaugurals and interesting inaugural moments. For example, William Henry Harrison (“Old Tippecanoe”) ignored the advice of Daniel Webster to cut his speech in half and delivered a 75-minute inaugural address in the cold rain. He died of pneumonia a month later. Thus, he gave the longest inaugural address ever and had the shortest presidency ever. Another interesting moment was when First Lady Lucy Hayes refused to serve liquor at the inaugural ball of 1877, and was quickly dubbed “Lemonade Lucy.”

I reported to Rather, who then reported to the nation, that this was the first indoor inaugural since that of William Howard Taft, who gave his address in the House Chamber. That night I attended the inaugural ball at the Kennedy Center, where I bumped into actors Michael York and Jill Clayburgh, and some friends from Birmingham and the media community. But for many reasons, the magic had gone out of the inaugural balls. There were too many of them. They were being used to raise money for the party. Since the Packwoods decided not to attend, I wasn’t the guest of someone with a private box.

In early February, I took a lecture swing on the West Coast visiting San Jose State, UC Davis, Stanford, CSU Fullerton, Pepperdine, and the University of San Diego. While most of my host professors were kind and courteous, and their students were attentive, there were some professors who wanted to protect the Fairness Doctrine at all costs. This led to some
uneasy situations in which I did not want to embarrass my host, but also did not want to give the impression that I agreed with her or his position. On the plus side, the trip allowed me to visit many of my friends. My former uva student Bill Post actually served me dinner atop his apartment building on Larkin Street in San Francisco as we watched the sun go down and the fog come in.

Campus lectures later in the year at the University of Wisconsin, Northwestern, and many more were very satisfying. I visited Anheuser-Busch in St. Louis, gave a lecture in the preserved courtroom where Dred Scott had been sentenced to return to slavery, took a dinner boat ride on the Lake of the Ozarks with August Busch iv, and then I traveled on down to Springfield to lecture at Southwest Missouri State, where my MA thesis advisor taught in semi-retirement. One of the benefits of a teaching career is that you develop a network of friends and associates across the country.

In 1985, I hit on two new First Amendment issues. The first was freedom to advertise. I developed the legal position that banning the advertising of legal, non-harmful products violated the First Amendment rights of advertisers and the companies that made the products. When legislation was introduced in Congress to ban beer and wine advertising on television and radio, I asked to speak at the hearing, which was chaired by Florida Senator Paula Hawkins, a Mormon and a Republican. In my testimony, I made the counterintuituitive point that there was no correlation between advertising and increased consumption of beer and wine. In fact, despite huge increases in the money spent on such advertising, even allowing for inflation, “beer sales were flat.” After the laughter died down, I continued: “The fact is that advertising moves those who drink from one product to another; it does not add people who do not drink to the mix.” More laughter. “Furthermore,” I continued, “without advertising, light beers would never have created a market niche, and therefore, a healthy product would have been denied to millions of users.” I also pointed out that unlike cigarettes, studies had shown that having two drinks a day is actually healthy. My claim was based on a study of 30,000 people conducted by the health insurance industry. “So,” I told the committee members, “you can have four drinks a day and break even.” Hawkins’s legislation went nowhere. I was able to add contributors to the foundation, like Philip Morris, which stayed with us a very long time. When I was criticized for accepting money from the tobacco industry, I rationalized that I would take money from the devil in order to defend the First Amendment. Better I take the money and use it for a just cause than the industry keep it and use it to advertise a poisonous product. I
also published a book on First Amendment Rights of Advertisers, which the Freedom to Read Committee of the Association of American Publishers endorsed.

The second issue was the cross-ownership rule. In the wake of Watergate, the Nixon-appointed head of the FCC, Richard Wiley, imposed a rule that said newspapers could not own television stations in their own cities. The rule was aimed at the Washington Post, which quickly complied by swapping its station in D.C. for one in Detroit with a newspaper there that was caught in the same bind. However, other newspapers fought the rule, and the Supreme Court ultimately ruled in the late 1970s that newspapers that owned broadcast stations in their own cities before the rule went into effect were grandfathered in. Thus, the Chicago Tribune could retain its television station in Chicago, WGN, but the Chicago Sun-Times, which did not own one, could not buy one if it wanted to. This created an uneven playing field in which the Tribune could use profits from its television station to prop up its newspaper. To its credit, the Tribune, which was a member of my foundation, joined us in fighting the rule.

By 1985, it was apparent that the cross-ownership rule not only created an unfair competitive environment, but was hampering the ability of independent newspapers to survive. With so many channels available to viewers on cable, it made no sense to prevent newspapers from owning a station in their own towns. They would not have a monopoly on opinion, and the cash flow from a television station might keep the non-chain papers alive. Our coalition swung into action and the FCC agreed to hear our plea. I was invited to speak at the prestigious D.C. Bar Association to present our position on this issue. Many favorable editorials followed.

In June I invited my nephew Danny to come to D.C. and intern with us. I was helping Danny get a degree at San Diego State and thought a visit to the nation’s capital would do him good. To celebrate the official start of summer, we sailed across the Chesapeake Bay, docked in St. Michael’s, and enjoyed blue crabs and beer. We slept on the boat and then sailed back to Annapolis the next day. On the Fourth of July, Danny was completely taken with the fireworks display over the Potomac and was able to retreat with his friends to our office on South Capitol to spend the night and not fight the mobs to get back to my condominium. Later in the summer, we were the guests of Legg-Mason, who handled the foundation’s accounts, at their professional tennis tournament in Rock Creek Park. We had wonderful seats and could see all the big-time players of the time, including Connors, Vilas, Lendl, and McEnroe. Lendl was my favorite—always a perfect gentleman and self-made, not a natural talent. I could identify with that.
The Fairness Doctrine fight continued in earnest when the FCC held a hearing on it in preparation for their ruling in the Meredith case. We put together a great lineup for the event. CBS’s Eric Sevareid came out of retirement to oppose the doctrine, as did Bill Monroe of NBC News. My testimony reviewed the standard arguments against the Fairness Doctrine: it chilled speech and was unconstitutional; it was not justified by the scarcity-of-spectrum argument because cable had solved that problem and now spectrum space for channels went begging for buyers; it contradicted the Supreme Court’s ruling in the Miami Herald case, which said that newspapers could not be required to present contrasting views. Now, all we had to do was wait for the FCC ruling.

AT THE MONASTERY

Balancing my policy work were the visits with John Macksoud. He had become something of a monk, relying on the philosophy of Søren Kierkegaard, who argued that the only way to God was down a singular and lonely path that ended with a leap of faith. By this point in his life, John had contact only with his girlfriend Judy, who lived near him, and me. He had stopped drinking alcohol and consuming meat. His psychological analysis of people was based entirely on Freud, and was always fascinating and sometimes scary.

My visits were a retreat into a monastery, which cleared my mind and made me a better writer and thinker. I was expected to perform certain tasks, such as pruning the trees and clearing brambles, cleaning out the cellar, and painting here and there. I had to check my ego at the door. However, I began to realize that John was trying to re-create me in his own image. John’s method, one used by many a professor in the mode of Socrates, was to question your every premise until it was destroyed. It is so much easier to tear down ideas and beliefs than to build them up. His hope, I suppose, was that when nothing was left, I would embrace his way of thinking.

However, in my case, I never got to that point. My search for a transcendent sense of spirit saved me. I had concluded that I had a soul and that it would allow me to associate with or glimpse spirit beyond the material world and personal disappointments, and certainly beyond logic. Because spirit was perfect, nothing could be added or subtracted from it. Hence, while we could expand our souls and bring spirituality to our lives and our creations, we could not become one with spirit. At best, once our bodies
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...gave out, our souls could enter an eternal stream of superconsciousness that associated with spirit. When John realized he could not possess my soul, he decided that it would be better for us to continue our conversations by phone only. I was no longer welcome at the Pennsylvania retreat, which I owned. I had bought John’s interest out to supplement his income. “Bodies get in the way,” he claimed. “Better for only our minds to connect.” I reluctantly complied with his wishes. He promised to take care of the house for me. While we talked on the phone weekly, it would be years before I saw his face again.

REWITING THE TAX CODE

After almost two years as head of the Finance Committee, Senator Packwood failed to achieve the tax reform he had sought, despite working closely with Senator Bill Bradley, Democrat of New Jersey, a terribly bright and decent man who had once been the star of the New York Knicks basketball team. The senators’ efforts to put together a legislative package were frustrated by insfighting, deal-making, and Packwood’s own missteps. Initially, he saw loopholes in the tax law as incentives to channel investments to needed areas. The tax-incentive method was more effective, he rightly noted in a press conference, than legislative mandates or allocation of government funds. For example, tax incentives for people to put money into IRAS (Individual Retirement Accounts) encouraged savings, which in turn allowed banks to loan out more money at lower rates, which in turn encouraged building, which in turn led to more money being available for houses and businesses and thus higher levels of employment. Tax shelters for those investing in senior housing provided employment and places for poorer seniors to stay.

These benefits were what Packwood had in mind when, during a news conference, he said that he “kind of liked the tax system the way it was.” That line and the Senator’s own protection of Oregon’s special interests sent a signal in early 1986 that the new tax bill would not differ much from the old system. Senators on the Finance Committee began to roll out their own plans for projects in their states. It began raining earmarks, which in those days we called “pork barrel spending.”

Taking his aide Bill Diefendorfer to the Irish Times bar on the House side of Capitol Hill, Packwood admitted defeat. Diefendorfer suggested a whole different approach, using Senator Bill Bradley’s flat tax as a
foundation. On a napkin, Packwood and Diefendorfer wrote a new legislative package. Packwood and Bradley then pushed the new, simplified version in the corridors of the Senate. The investment tax credit, which cost the government $25 billion a year, would be repealed; a minimum corporate income tax would be imposed so that overall, corporate income taxes could be lowered from 46 percent to 33 percent, and provide $100 billion over the next five years to lower individual income taxes. The bill ended tax shelters and streamlined itemized deductions in return for dropping the income tax rates to 15 to 27 percent, instead of the 50 percent top rate at the time. The standard deduction was raised to $2,000 per individual. Months later, after midnight on May 8, 1986, the roll call of the Finance Committee began. When it was completed, the vote was unanimous for the Packwood-Bradley proposal. The committee rose and gave Packwood an ovation. In tears, he thanked them.

That was only the beginning of the battle. The bill had to go to the House for approval, but the House came up with its own version of the tax reform. A conference committee tried to reconcile the bills. In late August, the 83-page compromise hit another bump when some members of Congress asked that they be allowed to take the bill to their constituents over the Labor Day break. However, Packwood knew that would kill the bill. Voters would find some part of the compromise they did not like and tear the bill to pieces. He and Bradley held their colleagues’ feet to the fire and kept them in session. Congressman Dan Rostenkowski did the same in the House. At 9:35 p.m. on August 16, the compromise bill that had been approved in the House was approved in the Senate and sent to the President. Reagan happily signed it and claimed it as one of the great achievements of his presidency. However, it was in reality the crowning achievement of Bob Packwood’s career.22