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# News Gram



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## Nothing to Sneeze At

by Pierre David

THE GREAT HEALTH-CARE DEBATE OF 2009 WILL COME TO A close in the not too distant future. What comes next — no one knows. This much can be said for sure: The rancor and partisanship, the sheer ugliness of the whole tug-of-war, is as pungent and nauseating as ever. Just like his predecessor, Barack Obama promised a new era of come-togetherness in Washington, and just like his predecessor, he has failed. The opponents of health-care reform insist that they're battling "socialism." The advocates claim that anyone who opposes them is no better than a slave-holding plantation owner. The politicians, as always, sound like children; the interest groups keep stoking the proverbial fires; the media keeps reporting on all of the above without much, if any, insight into what is happening to the national discourse and, of course, the national psyche. What is happening is terrible.

First, the obvious: The administration and its allies on Capitol Hill are, apparently, hell bent on passing something called "health-care reform" this year or early next. Their logic is dubious, at best. Even though a majority of voters now oppose the president's and his party's health-care proposal — the latest Quinnipiac University poll shows 52 percent against the proposal, with 38 for it — Democrats are unbowed. Indeed, as their poll numbers drop, the party seems to dig in — deeper and deeper. This would seem idiotic were it not for the fact that the party's liberal base has been fighting for a single-payer system for decades, and now they think they're on the verge of getting that (or something akin to it). Democratic leaders understand that if they lose this fight, the people who own them, the people who cut their checks and rally the troops and make it all

—continued on page 3

## Case Closed: Lee Harvey Oswald and the Assassination of JFK

by Gerald Posner

**G**RANTED, THERE HAVE BEEN ONE-THOUSAND BOOKS WRITTEN about the Kennedy assassination. But there's only one that's worth reading all these many years later — Gerald Posner's "Case Closed: Lee Harvey Oswald and the Assassination of JFK." The reason: While the vast majority of all those JFK-themed books contend that it was the Soviets or the Cubans or the Mob or the CIA or some hitherto unknown cabal that was responsible for the president's murder, Posner makes the very compelling case that, in fact, what we've been told all along by the Warren Commission, that a single gunman named Lee Harvey Oswald was solely responsible for this tragedy, is the truth. Much as we might like to believe that what happened on Nov. 22, 1963 in Dallas involved a complex web of agents and hit men and secret operators, Posner argues that Occam's Razor remains our most reliable indicator of the truth: That explanation which is simplest is also the best.

This will not be welcome news to people who continue to believe that President Kennedy was a victim of something much darker and more sinister than one man's evil quest to achieve immortality. But the time for investigating the murder — the who, what, where, when and how — is long past. We should, instead, turn our attention to the deeper, more troubling question of what the assassination has done to our culture and our politics. While there may be some murkiness that surrounds the Kennedy assassination, about this we can be perfectly clear: Something dramatic and awful has happened to America in the decades since that fateful day. The idealism and promise of this country has been attenuated; the hope has been inverted into smallness, victimization, fear, acrimony. We are richer and more powerful than ever before, but we are also much weaker.

Posner's singular contribution is that he has finally made it possible for us to move on. We needn't dwell on the particulars of the case because a careful review of those particulars shows the murder was far less mysterious than it's been made out to be.

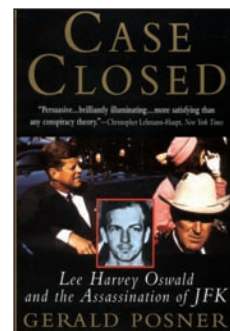
Among many other canards, Posner explodes the following conspiracy theories: that there was a second gunman on the hotly debated grassy knoll, that Jack Ruby was a government agent, that the mafia ordered JFK's hit, that Oswald was a patsy.

Yes, there have been some confusions about what happened and when, particularly in the frantic hour or so immediately following the shooting, but those confusions are easily resolved when all the comments and perspectives of the key players are pieced together. If you insist on viewing the assassination through a conspiratorial lens, then you'll probably find something fishy. But if you prefer to view it more dispassionately, with a cooler head, you'll see that there were no subplots or government machinations. There was just the tragic loss of a president with great promise. That is the crux of "Case Closed."

It may seem odd to delve into the Kennedy assassination so many years after the fact. But the repercussions of the assassination are hard to overstate. It's not that something innocent and pure was stolen from America that day. Please. By 1963, the

United States had used atomic bombs against Japanese civilians, liberated the continent of Europe, erected a massive military-industrial-espionage complex and waged cold war against the Soviets. In other words, we had already lost our innocence. We were a half-century removed from the days before world war and totalitarianism and weapons of mass destruction. We were a superpower.

What was lost that day was a sense of forward momentum — progress. The great ascent that had characterized the American century, to date, was suddenly stalled, reversed. Why and how this happened are not entirely clear. Yes, the Kennedy assassination was horrific, but did things have to turn out the way they did? Were Vietnam, race riots and mass alienation necessary side effects? Now we can start talking about that — what happened and what is happening to us. This is a conversation that is essential to the country's renewal. It is a conversation that would have been inconceivable with Gerald Posner's very important book. Now, at last, we can talk about more important things. —PD



### INTOXICATING NEWS ABOUT BENEFITS

It's the season for merriment, and that means presents, parties, and...maybe a little too much holiday punch? With office parties in full swing, some employers may be wondering what that means in terms of workers' compensation benefits.

The Law Offices of George S. Henderson describe in a recent newsletter that intoxication on-the-job can lead to a messy situation. At first blush, it seems obvious that if an employee were intoxicated at the time of a work-related injury he wouldn't qualify for compensation. Ah, but, the devil is in the details.

In order to receive benefits, Henderson reminds us, an employee must be able to prove his injury arose from "the course and scope of employment." While an employer can argue that by being intoxicated an employee sufficiently departed from his "course and scope of employment," this may not be sufficient to prevent an award of benefits.

Some businesses can claim an employee broke a business policy by working while intoxicated. Although Henderson points out that simply breaking a rule doesn't preclude one from receiving compensation either. The employer still needs to prove that intoxication was the leading — or at least substantial — cause of the injury.

While many states have laws prohibiting individuals from receiving workers' compensation if they were intoxicated at the time of the injury, this is not the case across the board. So if you want to play it safe this holiday season, best to serve the eggnog without the rum! —Sabrina Leigh Schaeffer

## Nothing to Sneeze At

—continued from page 1

happen on Election Day, will be very unhappy. The consequences, come November 2010, will be disastrous. The trouble, of course, is that they don't have the public's support — President Obama's approval ratings now hover just below the 50-percent mark — and the Republicans know this, and so do moderate Democrats. If the Democratic leadership alienates all of those people, i.e., most of America, the consequences will be even more disastrous.

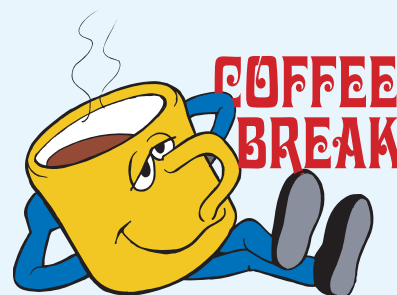
Now, onto the Republicans: Not surprisingly, “the stupid party,” as Irving Kristol once dubbed the GOP, seems congenitally incapable of articulating a clear and intelligent position. Republicans rail against budget-busting, government-run health care — but then they slam Democrats for, they say, proposing to slash Medicare coverage. Democrats come up with an unwieldy and Byzantine “solution” to the nation's health-care woes, and Republicans fail to make the case for a more market-based approach, one that emphasizes things like health-savings accounts. Maybe that's why more voters still think the Democrats are better at revamping health care than Republicans are. Maybe it's time Republicans stopped kow-towing to their baser elements — for example, the “birthers,” who contend the president was born on foreign soil — and started giving voice to a meaningful, alternative politics.

So instead of a debate we've had a shouting match. By now, we've become accustomed to shouting matches: The showdown over George W. Bush's judicial nominees, the Iraq War, the pharmaceutical bill, the stimulus bill, and on and on. If this kind of cantankerousness actually hobbled government — if it prevented Washington from accomplishing much — that might not be a bad thing. (Much of the 1990s amounted to one big shouting match pitting congressional Republicans against Bill Clinton, and the ensuing deadlock worked wonders on the economy.) But that's not what's happening. Instead, our politics is being reduced to its barest, basest political elements, and any semblance of conversation or debate is being swept away by the furies and inanities of a hyper-partisan political class that cares little about ideas or policy or even ideology and is consumed by power.

Exhibit A of this new era of hyper-partisan politics is the president's recent Afghanistan announcement. It was, by most

accounts, a half-measure, an attempt to please all parties (hawks, doves, Europeans, people who really matter like, say, voters in the United States). On the one hand, more troops are heading to war. On the other, we've imposed a deadline on ourselves. (Imagine what would have happened had we issued a similar deadline on the eve of D-Day or at the outset of the cold war.) This is an approach that lacks a clear decision; it is a decision sapped of any decisiveness. Leading, Mr. President, means upsetting some people, maybe many, in the service of a principle that we hold dear — like, say, freedom.

The health-care debate presented a tremendous opportunity to reinvigorate our politics. It presented an opportunity to engage in a serious conversation about medicine and how it is practiced in this country, and instead it has devolved into a mess. We should not be surprised, but we should be angry. —PD



### THE COFFEE BREAK QUIZ

*The most common feature of the psychopathic individual is:*

- A. a failure to empathize with others
- B. criminal behavior
- C. head injury
- D. success with the opposite sex

ANSWER: A.  
While each of the answers are features of the psychopathic character, the most common feature is the inability of the individual to have a sense of what it is like to be in another person's shoes.

## THE GIFT THAT KEEPS ON GIVING

If there's one gift no one wants this holiday season, it's the H1N1 flu. And while epidemiologists are predicting the flu pandemic to be milder than originally predicted, the virus still appears to be a popular present that doesn't take up any room under the tree.

The ease at which the H1N1 virus spreads is part of what has businesses concerned and insurance companies on notice. Some medical malpractice defense attorneys are preparing for the worst. It's unlikely that businesses can require their employees to be vaccinated; however, insurance companies expect claims will be filed against employers that don't adequately inform their workers of possible exposure to the disease.

For many schools and universities, the real cost of flu season has already set in. The family of a principal of a New York elementary school has filed a \$40 million lawsuit against the Board of Education. According to the plaintiff, the school did not inform the principal that he had been exposed to the virus and did not act quickly enough to prevent the transmission of the virus. In short, they claim the school failed to provide a safe working environment.

What's clear is that the H1N1 virus is likely to bring about more than a runny nose. So, when it comes to the office secret Santa this year, be sure to give something that can't be returned.

—Sabrina Leigh Schaeffer

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