

Tidbits & Outrages

"With age, the shuffling makes him look, I guess, more aged."

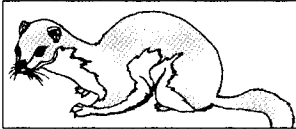
~ Sen. Ernest Hollings
on Sen. **Strom Thurmond**

We Shall Overcome

"Like any civil rights issue, when you have so much right on your side,

the issue just won't go away."

~ Pro-ferret



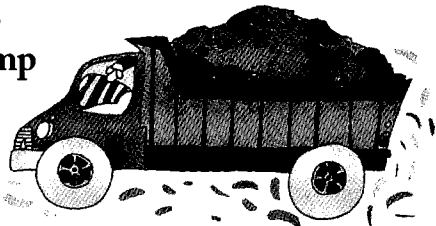
activist Jeanne Carley on why she will continue to fight to lift California's ban on owning ferrets

"Voters will have to make decisions in Norfolk Election"

Headline from 8/16 *Lakeville Journal*

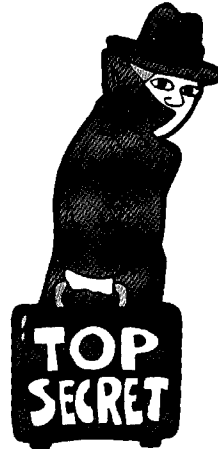
Bush's First National Park

Interior Secretary Gail Norton declared the Fresno, Calif., municipal dump as a national historic landmark.



"Congressman Condit

has shown his ability to hold information."



~ Abbe Lowell on why Gary Condit should not be removed from the House Select Committee on Intelligence. (from Meet the Press)

Correction of the Month: August 10th, St. Paul Pioneer Press

"In Tuesday's story about the funeral of Korey Stringer, a quote from Kelci Stringer should have referred to Korey Stringer as a 'realest dude,' not a 'realist dude.'"

"This is a very good time."
—Joyce Jensen founder of the Astrological Institute after it became the first astrology school to receive federal accreditation.

John Edwards, Esq.

*Republicans believe that Americans will never elect
a trial lawyer president. They're wrong.*

BY JOSHUA GREEN

ON AUGUST 5TH, NBC's *Meet the Press* featured someone and something we're likely to see much more of in years to come: Senator John Edwards (D-N.C.) squaring off against a nervous representative of the Bush administration.

The issue in this case was the so-called patients' bill of rights, and Rep. Charlie Norwood (R-G.A.) the Bush surrogate. Days earlier, the president had sweet-talked Norwood into a midnight deal that sharply restricted patients' right to sue their HMOs. Norwood, who for many years had advocated a much tougher bill, had essentially been suckered, and appeared acutely aware of this as he sat alongside Edwards, glumly resigned to defending a bad deal.

Tim Russert was on the attack, pressing Norwood about his recent yielding on patients' rights to sue in state courts: "Why did you abandon those views?" Norwood hemmed and hawed and finally was reduced to parroting the administration's line: "It is potentially possible that [lawsuits] could ruin the employer-based health-care system in the country." Russert pressed him harder. "Do you believe that?" It turned out Norwood did not.

Russert then turned to Edwards, a trial lawyer by profession, who neatly summarized the deal's shortcomings. "Number one, this deal—which was written in the middle of the night, by the way—takes away rights that patients already have across the country," he explained. "Number two, it maintains the privileged special status that HMOs enjoy today. And, number three, it stacks the deck against patients when they're trying to hold HMOs accountable for what they do."

Edwards also pointed out that a seemingly minor change in the bill's language had shifted accountability away from HMOs—something Norwood had failed to recognize and meekly agreed was "a mistake."

The discussion turned to caps on the amount of damages that negligent HMOs would face. Norwood had previously fought such caps and again stumbled in rationalizing his reversal. Edwards, who flat-out opposes capping damages, summed up his case in one line: "A right [to sue] that's not enforceable doesn't mean anything." By the time Russert broke for commercial, Norwood had pretty much thrown in the towel.

The fight over precisely how patients should be allowed to sue their HMOs may seem relatively minor, considering that 44 million Americans don't even have health insurance. But the debate that morning had a deeper symbolic meaning. As every political junkie knows, John Edwards almost became Al Gore's running mate in 2000 (several sources say he was next after Joe Lieberman). Among a handful of undeclared candidates for the Democratic nomination in 2004, he's lately been basking in media attention. With Gore's recent inability to reignite support, a case could be made that Edwards is the current frontrunner.

The fight was important on another level, too. For a long time, the two parties have wrestled in various contexts over the right to sue, Democrats generally defending it and Republicans seeking to restrict it. But at least in the public mind this issue hasn't yet risen to a defining philosophical difference like abortion, taxes, or the size of government. Many Republicans would like to change that, President George W. Bush prominent among them. As governor of Texas, Bush made "tort reform" one of his top agenda items. Quietly, in ways that have garnered little attention, the White House is

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