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The Politics Of Ted Kennedy's Health

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The failing health of Senator Ted Kennedy has begun to take on acute political significance. All during the spring and summer, Kennedy's presence has been notably missing in the legislative maneuvering on health care reform, an issue to which the Senator has been committed his entire life. Now, he has written to the political leaders in the Commonwealth of Massachusetts asking that they change the current provisions for filling a senatorial vacancy.

The irony of Kennedy's request is that it would not have been necessary five years ago. In 2004, in anticipation of the possibility that Sen. John Kerry might be elected President and not wanting to allow Republican Governor Mitt Romney the chance to name a replacement, Massachusetts changed the law to require a special election. Not wanting to appear crassly partisan, they dressed up their arguments for the change in all manner of encomiums to the virtue of direct democracy. Their effort was akin to the GOP's push for the Twenty-second Amendment limiting a President to two terms after Franklin Roosevelt won election four times. Then, when the GOP recruited Dwight Eisenhower as their standard-bearer, they worried they had shot themselves in the foot, although Eisenhower's ill health would have made a third try for the White House improbable.

Unfortunately, there are times when it is more important for the citizens of a state to be represented in Congress than it is to give democracy her due and, with health care reform pending, Kennedy believes this is such a time.

The Democrats were foolish five years ago. They could have required that the Governor's selection require confirmation by the state Senate. They could have mandated that the person chosen be registered in the same party as the person whose seat has become vacant. They should not compound their mistake then by merely going back to the prior system of unchecked gubernatorial appointment. Introducing the

need for confirmation by the state Senate is the best way to proceed. More importantly, many of us are still praying that Sen. Kennedy will be present to vote for universal health insurance this autumn.

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