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A Drum Major for Righteous Indignation

By Leonard Fein

The occasion: The Senate vote on a bill to bar a 10.6% cut in payments to physicians who treat Medicare patients. Just before the July recess, the bill drew 59 “yea” votes — one shy of what was needed to cut off debate, eight shy of what would be needed to override the president’s promised veto.

At issue was the \$10 billion subsidy the government has provided a program called “Medicare Advantage,” which enables seniors to opt out of the standard Medicare insurance program and buy into for-profit HMOs instead. Medicare Advantage is heavily subsidized and heavily marketed; it has so far enrolled roughly one in five seniors, advancing thereby the foolish rush toward the privatization of everything.

As the number of seniors enrolled in HMOs increases, the size of the government subsidy rises — and, under the complicated budget rules, there needs then to be an offset elsewhere in the federal budget. Hence the proposal to cut reimbursements to doctors.

The Senate fight was over whether that proposal would be allowed to stand. Why, after all, reward care-sellers (HMOs) and penalize caregivers (MDs)? And might not a cut in reimbursements for treating Medicare patients lead doctors to deny them service just as it has led many doctors to shut their doors to Medicaid patients?

Enter Ted Kennedy, for the very first time since his diagnosis and surgery for a malignant brain tumor. Not only did all his colleagues, on realizing he’d entered the chamber, rise to applaud and whoop his presence; the gallery, too, where displays of this sort are proscribed, broke into sustained applause and was not gaveled to order.

“Yea,” he said, and his “yea” carried enough Republicans to generate a veto-proof majority, preserving thereby (if it holds together) the core of a program that has dramatically improved the life circumstances of many millions of Americans.

What more can possibly be said about Senator Edward Moore Kennedy? By now, after 46 years of service as a United States senator, and especially in the wake of the awesome diagnosis, he has been graced with so much honor, praise and affection that it would seem everything that can be said has already been said.

I did not vote for Ted Kennedy when he first ran for office, in 1962. There seemed little reason to; he was a kid, just 30 years old, with very little more than a famous last name to commend him. Indeed, his opponent in the Democratic primary that year, Edward McCormack, son of the longtime speaker of the House, acidly observed during the campaign, “If your name were Edward Moore instead of Edward Kennedy, your candidacy would be a joke.”

Lesser men might have playboyed their way through six terms in office, or become gnarled from history’s cruel rudeness to them and their families. Not so EMK. A story: On the morning of the day before the funeral of Yitzhak Rabin, Kennedy called the White House to inquire whether it would be appropriate for him to bring to the funeral — he was among the many Americans, including President Clinton, who attended the sad ceremony — some earth from Arlington National Cemetery.

The answer was essentially a shrug: Who knows? Unadvised, the senator carried a shopping bag onto the plane, filled with earth he himself had dug the afternoon before from the graves of his two murdered brothers. And at Mount Herzl in Jerusalem, after waiting for the crowd and the cameras to disperse, he dropped to his hands and knees, gently placed that earth on the grave of the murdered prime minister.

No spin, no photo op; a man unreasonably familiar with bidding farewell to slain heroes, a man in mourning, quietly making tangible a miserable connection.

One woman had lingered when the crowd left. Seeing that the senator, his back weakened in a plane crash decades earlier, was having difficulty rising, she approached and helped him to his feet. It was from her that I heard the story.

Though I never had reason to doubt its core truth, I know that such stories are often embellished as they are told and retold. So when, early this June, I found myself standing next to the senator at a function in a private home, I decided to verify the details. It pleases me greatly that Kennedy confirmed the particulars of the story.

Why do I attach as much importance as I do to the Kennedy example of public service? There are two reasons.

First: Thucydides once was asked, “When will there be justice in Athens?” His reply: “There will be justice in Athens when those who are not injured are as outraged as those who are.”

Call it, if you will, not outrage, but righteous indignation.

Ted Kennedy would easily have been reelected time after time even had he been substantially less indignant, substantially more passive an advocate of social justice than he has been. Few of his constituents would have punished him had he chosen to be merely a foot soldier rather than an indefatigable champion of those who have been injured, one way or another. Nor, after his first election, has he merely exploited his famous name; instead, he has added considerable luster to it.

And one more thing: There may be no better example than he of how complicated human beings can be. Ted Kennedy is very far from sainthood. There have been times when his life has seemed a shambles, earning disgrace. Yet even then, in the summer of his life, as surely now, in its winter, he was a lion.

It was Martin Luther King who asked to be remembered as a drum major for justice, for peace, for righteousness. If that were so, he added, “all the other shallow things will not matter.”

Ted Kennedy: A drum major for righteous indignation.