

HOW TO LEAD: CHRIS DODD EDITION

While Hillary and Obama were leaving the work of legislating to others, Chris Dodd stepped up to lay out the stakes for the FISA debate.

Senators are not entitled to see their amendments pass. But they are entitled to this: a good-faith debate, honest criticism, and, ultimately, a vote.

Last night, they didn't get it. Our Republican colleagues, assuming that they would lose those votes, effectively shut down the work of the Senate. They've taken their ball and run home.

They won't debate us on the merits. On the merits, they conceded, Republicans have lost.

And I don't think I'm far off base, Mr. President, in seeing in this egregious shutdown a parallel to retroactive immunity itself. Both attitudes privilege power over deliberation, over consensus, over honest argument.

Like immunity, pulling these amendments shows a contempt for honest debate and a willingness to settle issues in the dark, in back rooms—rather than in the open, where the law lives, where the American people can see it.

President Bush wants to shut down courts whose rulings he doesn't like; last night, Senate Republicans showed that when they don't like the outcome of a debate, they'll shut that down, too.

It's one thing for a president to express that kind of contempt for the process of legislation. It's another for the members legislative branch to express it themselves.

Mr. President, I've spoken repeatedly about the rule of law. The rule of law isn't some abstract idea. It's here with us—it's what makes this body run.

It means we hear each other out, we do it in the open, and while the minority gets its voice, gets its right to strenuously object, the majority ultimately rules.

And standing for the rule of law anywhere means standing for it everywhere: in our courts, and in our Senate. The circumstances are different, of course; but the heart of the matter is the same. Last night, I believe, the Republican party forfeited its claim to good faith on this issue. They're left to stake their case on fear. Whether that will be enough, the next few days will tell. [my emphasis]

Well, thank god someone's in DC standing up for the rule of law.