

Moderates and senior statespersons create a possible third party, the "Trust Party," to avoid the "nuclear option" and "nuclear winter" in the United States Senate

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Senate side of the U.S. Capitol and the Senate Office Buildings

Rather than allow the official leadership of the Republican and Democratic Parties in the U.S. Senate to lead that body into an extreme confrontation over the right of the minority to filibuster President Bush's choices for federal judicial appointments, a group of 14 U.S. Senators have signed an historic agreement, modestly entitled "[Memorandum of Understanding on Judicial Nominations](#)," intended to defuse the looming showdown.

Signatories of that agreement are:

Republicans: Lincoln Chafee (R.I.), Susan Collins (Maine), Mike DeWine (Ohio), Lindsey Graham (S.C.), John McCain (Ariz.), Olympia Snowe (Maine) and John Warner (Va.).

and Democrats: Robert Byrd (W.Va.), Daniel Inouye (Hawaii), Lieberman, Mary Landrieu (La.), Ben Nelson (Neb.), Mark Pryor (Ark.), and Ken Salazar (Colo.).

One way to look at what's happened is to see this development as part of a dialectical process, generated by the thesis of a Republican effort to assert total control of the legislative process in

the Senate (the "nuclear option") and the anti-thesis of the Democratic response in the form of a threat to slow Senate business to a crawl by parliamentary means ("nuclear winter").

Within that paradigm, the emerging synthesis consists of a new, third, party, which might be called the "Trust Party," after the sentiment its first 14 members say they are relying on to hold their effort together.

Interest groups on both sides of this fight, upset that the fundraising and organizing opportunities they had hoped to mount on the strength of an intensified partisan battle, were disappointed, but clung to the hope that this last-minute compromise would not completely resolve the issue of judicial nominees, or of the larger confrontation of which it is a part.

An article on the *BPNews* web site produced by the [Southern Baptist Convention](#) reported that [Family Research Council](#) President Tony Perkins told Knight-Ridder/Tribune news service. "I don't think it's over. They kicked the can down the road a little bit."

Glenn Sugameli, who heads [Earthjustice](#)'s Judging the Environment project, wasn't overjoyed by the compromise either. Calling the settlement "a partial victory today for the independence of our federal courts and the preservation of environmental protections," Sugameli said, "The agreement to abide by Senate rules and leave the filibuster rules intact come at a high price, however. Under the agreement, Senate Democrats who previously voted to filibuster right-wing activist nominees [William Pryor](#), [Priscilla Owen](#), and [Janice Rogers Brown](#) would reverse those votes, and agree to proceed to confirmation votes on those nominees."

Does this development signal the emergence of a new, moderate, centrist party that can resolve the increasingly volatile disagreements racking American political life, or is it a minor blip along the road to heightened disagreement and further confrontations?

That, like the final resolution of this conflict over judicial appointments within an elite club that unabashedly likes to call itself "the greatest deliberative body in the world," remains to be seen.