

One's own petard

On the issue of President Clinton's "Monicagate" Americans are divided, some outraged and wishing he would go, others fearful of a local right wing Taliban and deploring the special prosecutor's inquisitorial tactics. But the times have clearly changed since the 1920s, when the secret service obligingly arranged to accommodate a young woman with all expenses paid at the luxurious Waldorf Astoria, so that the then President Harding could spend the weekend with her room mate.

Americans generally believe that not even the president should be above the law. Yet having the head of state of this powerful nation sued by a minor public employee and grilled on television about his private life could be going too far. Everything is now fair game for the lawyers, who on the flimsiest pretences sue business executives and their companies, strangers, neighbors, even each other. They have sued almost every practicing doctor in America, usually unfairly. They once brought a suit on behalf of the family of a drunk who drowned in a river at a charity event, and even claimed that Viagra, the impotence pill, made a man run his car into a tree. They held cigarette makers responsible for the diseases of chain smokers; went to absurd lengths by seeking damages for women who claimed that taking diet pills had caused them great anxiety or were responsible for their children's unrelated heart disease; and they ganged up on the Dow Chemical company despite lack of any scientific evidence that silicone breast implants caused disease, and ruined companies that decades earlier had manufactured asbestos.

Even public hospitals providing free care with local tax monies are often sued because surviving relatives of adequately treated patients with incurable diseases are told they can make money by seeing a lawyer who works for contingency fees.

Nothing has been done to check the excesses of a legal system gone haywire. Mr. Clinton's own political party has opposed any reform that might displease its major campaign contributors, the trial lawyers. Mr. Clinton also favored extending the special prosecutor law. Ironically, he is thus responsible for the very existence of the office that is now pursuing him so tenaciously. He has indeed hoisted himself with his own petard.