



# The Gore-Boies Recession

Wednesday

**H**ere is the thought that's on my mind night and day: Americans are the greatest people there ever were. The basic generosity of the American spirit is simply without historical precedent, except maybe the precedent of Love Your Enemies.

I'm thinking of this because I am reading one of the best books I have ever read, *Robert E. Lee: The Last Years*, by a man named Flood. The most fascinating part is this: Immediately after Lee surrendered at Appomattox, he hesitantly asked Grant if Grant could spare any rations. Lee hoped Grant would send over a few thousand. But Grant said he would immediately send over 25,000 rations, and tears of gratitude came to Lee's eyes.

Lee was further moved when Grant said that the soldiers of the Army of Northern Virginia could keep their swords, pistols, and horses. From then on, Lee would never allow a harsh word about Grant to be spoken in his presence. (Years later, at Washington College, when a faculty member was damning Grant, Lee said that if the man ever spoke similarly in front of him again, either the faculty member or Lee would be gone in the morning.) When Lee rode away from Appomattox, still straight and dignified aboard *Traveler*, Grant said of him and his men, "They will live in history."

Two days later, when General Gordon led the tattered remnants of the Stonewall Brigade to stack arms in surrender, a federal general who had fought in many a bloody contest against the Southerners ordered his men to carry

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arms for the defeated Rebels, a move of respect that will live forever in decency and brotherhood.

But most remarkable of all, when the headquarters of the defeated Army of Northern Virginia was struck and Lee went home, he simply walked into his rented house in Richmond, lay down, and had a long nap. He was not arrested. He was not hanged. Even though he had led the major army of a rebellion of questionable legality, Lee was suffered to simply go home and rest. I can't imagine another nation where that could happen. Let's do homage to Lee for his genius and courage and to his men for their fortitude and duty, but also to the incredibly magnanimous Union, as represented by Grant, Lincoln, and Andrew Johnson and millions of others.

But this is only part one of many parts. The American people are so magnanimous that they shine forth like diamonds across all of the ages of history.

Think of how well the U.S. treated Germany and Japan after their defeats in World War II. Think of how generous the U.S. has been to the former Soviet Union after the end of the Cold War. Or go back farther to the U.S. generosity to Germany after World War I. If it had been matched by all of the allies, there might have been no Hitler.

Generosity, even wild generosity, is built into the American soul.

I am thinking about this particularly now as I get out of bed at a funny little hotel called the Country Inn, and go to speak to a huge crowd at a lovely school called St. Olaf in Northfield, Minnesota. The kids are so friendly, have such sweet looks on their faces, ask such touching questions, by and large. I think of the Minnesota regiments fighting the Mississipp-

pians and Texans in the Wheatfield at Gettysburg, then a few years later, all joining together for the goodness of America.

I am especially thinking of Hubert Horatio Humphrey, late statesman from Minnesota. I suspect he is my favorite public servant on the Democrat side ever. This fine man came from St. Paul to Washington as a U.S. senator. He was so committed to civil rights that he lived in a modest neighborhood because it was not restricted against Jews. He said he would live his beliefs and he did. When he ran against JFK for president in 1960, he was cheated out of the nomination by Joe Kennedy's money and gangland connections. Kennedy traveled in a private plane. Humphrey in an old bus. When JFK stole the West Virginia primary, Humphrey conceded in tears. Then he rode back home in his bus with a folk singer in the back singing, to the tune of "Give Me That Old Time Religion," "I'm gonna vote for Hubert Humphrey, I'm gonna vote for Hubert Humphrey, he's the man for you and me," while Humphrey stared straight ahead, a deer run over by the Kennedy limousine.

I always think of Humphrey when I am thinking about the contemporary Democrats. They remind me a lot more of Kennedy than of Humphrey. But the ordinary Democrat who works for a living is still (I think) every bit as good as any other man or woman. And a lot harder-working and better than I am.

This is a great country of great people.

Tuesday

**I** am back in L.A. We're taping my talk show today, election day. I went to vote at my son's school before taping. The registrar gave me two ballots by

mistake but I gave one back. The election booths were in the school library but within a few feet of the booths, some small children were carrying around signs that read "Gore-Lieberman." Should I file a protest? Nahh, just vote for my man, G.W. Bush, and be done with it.

Then, away I go to CNN to appear on a panel to talk about the election. I have been assured that my nemesis, Elayne Boosler, very angry and partisan comedienne, will not be there so I feel light hearted.

Oops. Big mistake. True, Ms. Boosler is not there (she's apparently doing some last-ditch campaigning with the Gore *Volk*) but instead there is a man named Paul Rodriguez, who in the makeup room is filled with barely disguised anti-Semitic jokes, whose offensiveness he probably himself doesn't understand. He is quick witted though. Then there is someone named Margaret Cho, a hefty Korean comedienne. In the waiting room she glared at me with distinct hatred and wariness.

Again I recall my old Dad warning me against going on TV talk shows. "Just a lot of dogs barking at each other," he said. But the usual run of those shows was positively Aristotelian compared with trying to talk to Margaret Cho. She interrupted me right off the bat and I asked her if she were going to keep interrupting me.

"Yes," she said happily.

"Then I'm leaving," I said. I got up, took off my microphone, and started to leave. Jim Moret, the host, prevailed upon me to stay.

Then there was a lot of screaming and shouting, and then at the end Ms. Cho spoke angrily about "a woman's right to choose" and how surely even a hyena like me couldn't be against that.

"What you call 'the right to choose' is really the 'right' to murder an innocent baby," I said, and I thought Ms. Cho was simply going to explode.

I would be ultra shocked if I ever spent any quality time with Ms. Cho again. In fact, I doubt if I will be invited back on CNN for a good long while. Certain truths cannot be said aloud in today's America. The fact that in our modern, kind, gentle America, innocent babies are murdered in brutal ways by the thousands every day to make life more con-

venient and fun for the rest of us is simply not mentionable.

Well, good-bye, Ms. Cho, you would look good in *feldgrau*.

Then to my set to interview someone great named Vitamin C, who is really Colleen Fitzpatrick. She is a lovely red-headed chanteuse with a voice like an angel and she's got a huge hit called "Graduation—Friends Forever." It is played at every high school graduation and that's a lot. The song makes me sob, but then everything these days makes me sob. I just have a lot of crying in me ever since my parents went off to immortality, leaving me to try in my pathetic way to look after my family by myself.

The election results on the TV are mixed. Good at first for Bush and then bad for Bush. The map of America is amazing. All, not just some, but all of the South for Bush, all of the Midwest except the largely industrial and non-white states for Bush, all of the Rocky Mountain states for Bush. New England, some of the Rust Belt, and California for Gore.

In particular, I am endlessly amazed that the Jewish vote goes Democratic. I have seen both the Democrats and the GOP up close and personal about issues of import to Jews. On Israel, Reagan, Bush, and Nixon were so much better for Israel, it's ridiculous. The Democrats love to push Israel around and kiss up to the PLO. The GOP just says, "Hey, Israel, we have some pals in the Mideast. You're one. So is Saudi Arabia. We take care of our pals." On affirmative action, even though Nixon invented it (to his embarrassment), Reagan pretty much un-invented it. And generally, Jews should know that Holocausts come from Big Government, which is the Democrat mantra.

Anyway, I finished up on the set and came home to watch the election results with our wonderful pal, Barbara P., a Jewish woman doctor who *hates* Gore. So do wife and Tommy, so we were all peas in a pod. Well, I guess that's an exaggeration. I have to say none of us truly hates Gore. I think he's a bit strange, but we don't hate him or anyone



*"Your mother wants to go south when we retire,  
which suits me no end because I want to stay here."*

else. Not even Joan Rivers or Margaret Cho or Elayne Boosler.

It looked bad until about midnight our time, and then Fox, our fave network, said Bush won Florida and with it the presidency. Wife started jumping up and down with joy. Then along came some spider who said that maybe the race in Florida was too close to call. Boo-hoo.

Still, Gore has left in a motorcade from his HQ in Nashville to concede. His supporters are telling him not to, but he's going to do the gentlemanly thing and concede anyway. I can see his caravan working its way along the road. But what's this?!

Uh-oh. Gore has called Bush to say he's not going to concede after all. Well, *c'est la vie*. Now we are in for what Mao Tse-tung called "a prolonged struggle."

I suspect at the end of it, Gore will be president, and I hate that thought, but I am going to see if there's anything I can do to help my man, Governor Bush. I met him three times during the campaign and liked him better every time. The guy has lights of character coming out of him. Likable, conciliatory, self-deprecating. I was sitting next to him at a fund-raiser in Beverly Hills a few weeks ago when a state party official said, "And let me tell you something—we're going to carry California." Bush shrugged his shoulders and smiled ruefully as if to say, "Yeah, whatever you say."

Anyway, he's my man and now we have to support him as he stands up to the Democrat media/trial lawyer onslaught.

#### Friday

It has been two and a half weeks since the election. I am in Little Rock visiting my in-laws. I'm at the Capital Hotel, a charming old place built during Reconstruction. My son loves its broad halls where he can play with his remote-controlled car. I love the friendly people. I have had toast and orange juice from room service every night for three nights. The hotel has not charged me for any of it. The waiters want an autograph and that's it.

My relatives here are amazing people. They are calm, well behaved, brave, with good senses of humor and a lively

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***Humphrey stared straight ahead, a deer run over by the Kennedy limousine.***

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intelligence. I have written about my father-in-law, the war hero, many times, so I'll just tell you the latest. We were talking about World War II and he said, "The Wehrmacht fought well and with integrity. If they took prisoners, they treated them right. I know a man who was wounded and they worked like mad not to have to amputate his arm. But the SS were just *mean*," he said, using a word that is harsh for a gentleman like Col. Dale Denman. "Once we captured one and he was wounded and we brought him to a field hospital and he spit in the doctor's face."

"What happened then?" I asked.

"Oh, we treated him anyway," Col. Denman said blithely.

Tonight, I am at dinner at a place called Capers, in West Little Rock, a place I love a lot. The food is great, and the people are cheery and have excellent, pleasant features. My wife's uncle, Bob Denman, is telling us why he turned down a citation for a Silver Star medal. It was in Korea, at Pork Chop Hill. He and his men were pinned down by a North Korean machine gunner. He and his men killed the gunner and could advance. A captain or maybe a major saw that the wound on the North Korean was from a carbine, and Bob was the only one who carried such a weapon, so he recommended Bob for a Silver Star. Bob, the most modest man on earth, said that he would only take it if everyone in his platoon shared in it. "I was just there," Bob Denman said at the table at Capers. "I didn't do anything more than anyone else."

The higher-ups would not allow the medal to be shared, so Bob turned it down.

I am telling you, the Denmans are remarkable people.

After dinner, I took my wife and son back to the Capital, and then off I went to Arkansas Children's Hospital to see my new best friend, Dillon Rolins.

This is a story indeed. The night we arrived in Little Rock, I signed on to AOL and found a letter from a woman who is the aunt of a two-year-old boy named Dillon Rolins. The e-mail told me that Dillon was suffering from serious cancer, was in the Arkansas Children's Hospital in Little Rock, and asked me to send him a photo. I e-mailed back that I would instead come see him.

So the next day his father, a slender young man, picked me up in the lobby of the Capital and off we went to the hospital. In many ways, the sweetest part of the day was that the gift shop was closed when I got there but the folks at the hospital opened it to sell me a few toys for Dillon. I cannot imagine that in a big city.

Dillon had on his door a list of regulations: No lab coats (they carry germs). No children. And then a big sign written by an adult, "I Love Ben Stein."

Dillon had undergone bone marrow transplants that morning, but he was smiling weakly when I came in. He mouthed "Ben Ben," over and over. I sat with him and showed him how to use his rather complicated toys. Then I just sat and held his little stockinged foot for a long time.

Then I left. His father is an E-5, I think, in the Army. He makes about \$1,800 a month. I have a suggestion. If Mr. Bush wins, let's postpone a tax cut for a while. Let's instead just double the entire military's pay. How much could that cost? Not that much compared with a \$10 trillion economy. We have got to pay these people a living wage for their life-saving duty.

Anyway, I went back to see Dillon twice this week, and now tonight, after dinner, I am on my way back again. At this late hour, the halls are deserted. On the walls, though, there are photos and poems of young men and women who have passed through the Oncology Ward and thence to eternity at a young earthly age. Of course, I began to sob like a baby.

But I dried my tears and went in to see Dillon. I stood in a tiny anteroom.

He was with his Mom. She looked so tired. Dillon was exhausted, barely awake. This time he did not speak. He just looked at me through the glass door. Apparently he was so weak that he could not have visitors. But I waved and smiled at him. Then out into the rainy Little Rock night.

I keep thinking to my little self, hey, here's Dillon and many like him. They're really just babies. We see that they are desperately ill and close to death. So we fight like madmen to keep them alive. But if you look at the youngest of them, they are just infants. Still, we will do anything to save them. Yet if they are a day before birth, or even minutes before birth, as a nation we have laws that allow us to have "doctors" kill them. Why do we kill some babies and race like demons to save others? It's a political thing foisted on us by a culture that reveres selfishness. It's far more evil than slavery, and I hope we can some day abolish it as thoroughly as slavery was abolished.

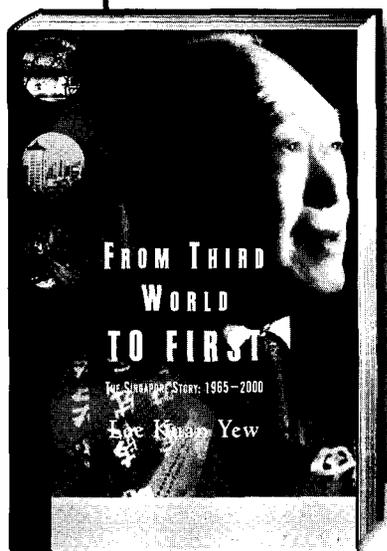
*Sunday*

I am in Tallahassee. Tomorrow I am speaking to a student group. But tonight, my hosts have taken me to a strange place called the Doubletree Hotel. My room is tiny, with low ceilings and decrepit furniture. I am situated in the midst of a group of college basketballers. They were a lively bunch. I had myself moved to a supposedly better, quieter room.

Then, off with my two guides from FSU to watch the results of the Florida vote certified by the estimable Katherine Harris. We walked only a few blocks until we came to a medium-sized crowd in front of a state office building. They were demonstrators with placards, only they were not what we're used to as demonstrators. No stringy haired emaciated women with mustaches. No men with beards and hate-filled faces. No men or women who looked dangerous. No feeling of hatred or menace. No, these were middle-class Americans with trustworthy looks on their faces, people who did not look as if they were deranged. They had a grievance—someone was trying to steal the election from the voters—but they did not look as if they were constitutionally deranged, like most demonstrators.

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## Lee Kuan Yew **FROM THIRD WORLD TO FIRST**

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FOREWORD BY HENRY KISSINGER

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These were yeomen and yeowomen, solid citizens, and they were there to stand up for their country, not to hate their country. I contrast them in my mind with the demonstrators I saw in the Westwood part of L.A. a few days after the election. Those people, masks of rage, had signs that read, "Re-Count or Revolt." That's something like treason. The demonstrators I saw tonight were patriots trying to save their country.

Naturally, they were in a good mood because Mrs. Harris certified that, once more, Mr. Bush is the winner. They looked happy but worried, as they should be. T-shirts were sold that said, in the same logo style as the Gore-Lieberman banners, "Sore Loserman."

But the mood remained upbeat and solid. These are good people. A woman reporter from the BBC asked me what I

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 Margaret Cho glared at  
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 and wariness.***  
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thought was going on. "It's the revolt of the decent people against the indecent people," I said.

She looked elated, as if she were a cat who had caught a mouse in a corner. "So you're saying Democrats are indecent?" she asked, peering through her stringy hair.

"No, the huge mass of Democrats are fine people. But some of the people around Mr. Gore are troublemakers who do not really love this country as much as they love themselves."

Anyway, I made my way through the demonstrators and I shook a lot of hands and signed autographs.

The crowd was super friendly to me, but frankly I was cold and tired and had to go inside a restaurant at the Doubletree to get warm. In the restaurant was a beautiful bartender whose name I have now forgotten, but a stunning beauty nonetheless. My two guides from FSU and I had some tea and snacks. A tall man from Brooklyn, studying law at FSU, shouted angrily at the TV. He was a Gore fan. "I'm looking for a Bush person to assault," said the future lawyer.

"Well, we're all Bush fans at this table," I said.

He looked at us, said nothing, and walked away.

In my room, the phone did not work. There was a loud humming noise coming through the fan duct in the bathroom even when the fan was off. There was room service but when they brought my toast and butter, they failed to bring a knife or any other implement.

At three a.m., more or less, I was awakened by a crowd of demonstrators in front of the courthouse across from the hotel. They were black kids who got out of buses. Yes, in the middle of the night. They shouted words I could not make out, and then left.

I am guessing they are friends of Jesse Jackson. Just a guess.

*Monday*

**A**s I worked on my speech in the noon hour, I noticed an immense wasp crawling along my window. I killed it. Then another appeared. I killed it. Then two more. I called the desk. A workman appeared. "Yes, there are wasps' nests on this floor. I thought we had gotten rid of them all, but I guess there still are some here. I'll spray your room with insecticide."

"NO!" I said loudly. "No matter what, don't spray insecticide. I get sick from the smell."

"You sure?"

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"Yes, I am totally sure," I answered. "No insecticide."

I wrote my speech and then went out with my guides to a round of activities. They culminated in a speech to an immense and very, very enthusiastic crowd in a big room near the football field. What great young men and women these were and are. Friendly, kind, interested. Just the kind of young people America needs.

I stayed for almost two hours signing autographs and getting my photo taken, and then I went back to the bar to flirt with the beautiful bartender, and then back to my room.

It reeked of insecticide. I went down to the desk to complain. At the desk were three men who were readily apparent as Democrat lawyers. In a pixieish mood, I said to them, "Can you believe Gore just went on TV and conceded. Gave a great speech."

The men looked at me as if I had just pulled a gun on them.

"When?" they all asked.

"Just kidding," I said. "Just kidding."

I asked them why they were in town. They were from somewhere called Seminole County, there to sue to throw out a lot of absentee ballots that they suspected were for Bush. What about making every vote count?!

Well, uh, uh, some votes count more than others.

*Wednesday*

I am back in L.A. I am here on the set of my show, actually working like a madman. Hard questions. Smart contestants. Painful work, but it must be done. Yesterday the Supreme Court handed the chalice to Mr. Bush and Mr. Cheney. I am happy but exhausted. Now the recession is starting. I call it the Gore-Boies recession. They generated so much uncertainty and fear that buyers just stopped buying altogether and now we are headed for difficult times. I can recall well how the political chaos around the Watergate events of '73-'74 did much to start the catastrophe of the mid-seventies recession. Now, I fear, it's all happening again.

Thank you, Al, for thinking so much about the rest of us.

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**Why do we kill  
some babies and  
race like demons to  
save others?**

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There are a few lessons here. One is that judges are people. They have their views and biases. If they feel a certain way, they can always make up an argument to rationalize their bias and make it sound all legal. Well, usually they can. The Florida Supremes just said, "This is our prejudice, so do what we say." The U.S. Supreme Court was slightly, but only slightly, more subtle.

This theory is called "legal realism." I highly recommend an ancient article

from (I think) the *Columbia Law Review* called "Some Realism About Legal Realism," by a famed law professor named Karl Llewellyn. It is at least 65 years old but still on point.

Second, and far more vital, people do not like being pushed around. The decent people of this country have been screamed at and pushed around by the militant cranks for too long and now they are pushing back. We are lucky this has not led to violence, but it is a lesson. The Jesse Jacksons of the world cannot push endlessly without some response if they have no legitimate cause.

Third, while we all have to cheer on the team, it only takes a few thousand lawyers and activists to fight these wars at this stage. The rest of us might make better use of our time to help the kids in the cancer wards to have a better moment or hour. We all want God to help those kids, but here on earth, as the saying goes, God's work must truly be our own. ❧

## How to Get Rid of the Big Spenders in Congress

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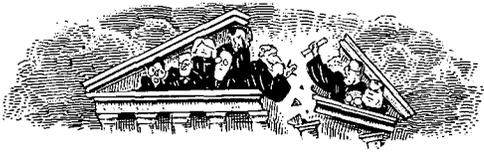
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by Jeremy Rabkin

# The Right Call

In *Bush v. Gore*, the high court did what it had to do.

**A**fter all the lawyers and all the chads, most Americans just wanted to get away from it. So let's start from a distance; say, Australia.

The Florida fiasco couldn't happen in Oz, one of my mates there told me. First, they wouldn't have had all those inexperienced voters messing up their ballots. In Australia everyone is required to vote, so they know how. For disputes there is a specialized Commonwealth (i.e., federal) agency to settle the matter. Everyone trusts that agency to behave with impartiality and competence.

Crikey! Can you imagine our government trying to *require* everyone to vote? As Al Gore liked to say, "This is *America*." We have trouble enough just getting people to pay taxes. And does anybody think a federal election inspectorate would have been trusted to reach a fair result in the Florida recount—with so much at stake and Bill Clinton still in the White House? Even now, proposals for federal reform legislation focus on grants to states to improve local voting procedures, not on setting up a new federal inspectorate.

So we trust the locals—but not very much. As long ago as the 1830's, Tocqueville marveled at the "extreme administrative instability" in American practice. "No one worries about what has been done before him. No method is adopted; no collection is composed; no documents are gathered, even if it would be easy to do it." He was talking about local administrators. They were so casual about their offices, he reported, that when he asked for information,

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they would sometimes just give him original documents from the files and figure he could make better use of them than they would. Tocqueville would probably have felt right at home with some of those Florida canvassing boards.

While we don't trust federal commissions, then, we don't really trust local administrators, either. So we fall back on the courts. Tocqueville noticed that one, too, of course. In a society where personal rights trump all and the pursuit of self-interest is thought to be a natural right, the place you go to defend your rights becomes supremely important.

It shouldn't be surprising, then, that so many election contests wind up in the courts; presidential elections generally don't only because they are rarely so close. And it shouldn't be surprising that when the Florida Supreme Court got things tangled up, the matter found its way to the U.S. Supreme Court.

In the end, we don't even trust the U.S. Supreme Court that much. This time, it's Democrats who protest the Court's arrogance and overreaching. But there are good reasons to dismiss their teeth-gnashing in this case.

Sure, the media rounded up a slew of law professors to express their disapproval. But that's no surprise: A 1998 survey found that only ten percent of law professors describe themselves as "conservative in some degree" and 80 percent are registered Democrats. At the 1998 conference of the Association of American Law Schools, relates Neal Devins in the *Pennsylvania Law Review*, when one speaker was introduced as a former clerk to Judge Kenneth Starr the

audience booed at the mere mention of Starr's name.

This time the most popular complaint from the legal academics and their media mouthpieces, like Linda Greenhouse of the *New York Times*, was that conservative justices in *Bush v. Gore* had acted on sheer partisan preference, because their ruling went contrary to their usual ideological leanings. Conservatives, they say, usually defer to the states and generally don't put much weight on the Equal Protection clause.

The argument is silly. Conservative justices have been quite prepared to invoke the Equal Protection clause against states in some areas—for example, in rulings against racial preference measures. Did conservative justices really have no reason to object to wildly divergent recount procedures in different Florida counties?

In the Florida recount, after all, the Gore forces were urging something quite analogous to affirmative action. The Gore claim was that voters who didn't follow the rules in punching out their chads might still have had a discernible intention to vote for Gore. Indeed, the Gore team kept reminding us that voters who had problems following the rules were disproportionately minority voters, so it was extremely important to re-evaluate their votes in light of what the vote might have been—especially given the history of voting discrimination against blacks. It is hardly surprising that judges who resist racial preferences generally would reject this sort of argument.

The cleanest argument in this case was that the Florida Supreme Court, by rewriting the recount deadlines, had violated the federal constitutional rule according to which presidential electors are to be chosen as the state legislature determines.