

The West Wing Weekly
2:18: "17 People"

Guest: Richard Schiff, Emily Proctor, Rebecca Walker, Jessica Neuwirth, and Jon White

[Intro Music]

HRISHI: You're listening to The West Wing Weekly. I'm Hrishikesh Hirway.

JOSH: And I'm Joshua Malina.

HRISHI: Today we're talking about "17 People". It's episode 18 from season two.

JOSH: It was written by Aaron Sorkin, one of the best *West Wing* writers, and it was directed by Alex Graves, one of the best *West Wing* directors. It first aired on April 4th, 2001.

HRISHI: And here's a synopsis from *TV Guide*: Toby puts two and two together and finds out about the President's "thing"—his multiple sclerosis—in this episode. Toby is the 17th person to find out—but only the second (after the First Lady) to challenge him on it. And he does so forcefully. Also challenging Bartlet is a terrorist threat, and he must decide whether to beef up security at U.S. airports. Meanwhile, Josh and Donna bicker over their "anniversary"—lots of quote, unquotes.

JOSH: Hmm, it's very Trump-ian.

HRISHI: [laughing] Sam and Ainsley squabble over the ERA; and staffers struggle to punch up a speech the President is set to give at the White House Correspondents' Dinner.

JOSH: And with us, back by popular demand: Richard Schiff! Wooo! [clapping] Yay!

RICHARD: I'm already crying.

JOSH: [laughing] Yeah, might as well get it out of the way.

RICHARD: Mmm.

JOSH: Just do it.

RICHARD: I haven't stopped since the last time I was here.

HRISHI: [laughing]

JOSH: It's a big fan favorite, that episode.

HRISHI: That last episode was "In Excelsis Deo". And that was directed by Alex Graves, I think, as well.

RICHARD: Yeah.

HRISHI: And that ended up getting you nominated for an Emmy, and this episode also ended up getting you nominated for an Emmy.

RICHARD: Mmm. I have to say, the last time I was here and you asked, I think you asked me about Alex and how was it working with him, and I think the first thing I said was, "He was really good with the camera." And then I felt bad afterwards because he's, you know, clearly an excellent director and I don't think I gave him the props he deserves.

JOSH: Yeah. But actually, I'm glad you brought that up again because while the camerawork is very good in this episode as well, this is a major acting episode. And it's, if I'm not wrong, this is

a bottle episode. Right?

HRISHI: Yeah.

JOSH: This is one of those episodes where expenses are down—and that’s probably part of the motivation to do an episode like this. It’s on few sets; there’s not location stuff; there are no big expensive...

RICHARD: Yeah, the *Breaking Bad* episode “The Fly” comes to mind.

JOSH: Yeah, exactly. And C.J.’s not even in this episode!

RICHARD: I just no— I noticed that! ‘Cause I studied for this and—

JOSH: [cross talk] Ha, good man!

HRISHI: [cross talk] Heh.

RICHARD: I watched it this morning, and then I watched the next two episodes, actually. Because I think the stretch of five episodes about the MS are as good as any five episodes in an arc on television.

HRISHI: Here’s what Aaron actually wrote about this episode. He said it was born from a budget crunch. “NBC and Warner Bros. give us a good budget to do the show but even then we can’t live within our means and we’d put an awful lot of money into the season-opener. So I was asked to write a show with no locations, no guest cast, no new sets, and minimal extras, so I wrote a play.”

JOSH: There you go, and it’s funny—

RICHARD: [cross talk] I didn’t know that.

JOSH: And is this your single favorite episode of *The West Wing*? Are you willing to...?

RICHARD: Uhm, it’s certainly up there. I’ve always said that my favorite episode is “A Proportional Response”, which I’m barely in. Because that’s when I realized how special this whole thing was gonna be because it delved into the private reactions of a president in a crisis that we never get to see, current events being an exception. We always get to see the President when he’s figured out what his reaction is going to be and when he presents to the public, so I’ve always said “A Proportional Response” was my favorite. But in terms of acting, yeah, this was a challenge. And, you know, I really didn’t think of it as a play, of course, but now that you mention that, it really was a three-character play. At least that storyline between Leo and Bartlet and myself.

JOSH: And it affords us the opportunity to get into your head, in a way that there’s not always time to do in episodes. It’s a lot of trying to figure out what’s in Toby’s head.

RICHARD: It also presents a great acting challenge, in the same way that it presented a great challenge for Toby, which is confronting power and speaking truth to power. Which is always tricky in real life and to act it as well, and I remember Pat Caddell, who was one of our consultants, the self-hating Democrat. He said to me afterwards, he said he’d always wondered how we would handle a moment where we spoke truth to power because it’s such a difficult thing to do in the White House—he worked for Carter, of course—and he was, he gave me a pat on the back, let’s put it that way, as to how that was handled and, of course, how Aaron

handled it. And it can only happen when the truth you're confronting him with is more powerful than the status.

HRISHI: Right.

RICHARD: And one of the challenges is to maintain the status of being, you know, lower than the president and still not being able to contain the emotional reaction to this news.

HRISHI: There's a scene I wanted to bring up about that. But before we do, you mentioned that Alex was really good with the camera and you said that this was a great episode for the acting as well, but I also think that this episode, in particular, is really phenomenal for the sound. The sound in this episode is like this whole new character that's being introduced, [sounds from the episode's first few minutes play] the way it's being used, even from the very beginning. At the end of the "Previously On..." we see Toby's, you know, bouncing the Spaldeen and is sort of trying to figure something out. And so the first time it ever happened, it actually sort of leads on continuously...

RICHARD: Yeah.

HRISHI: From the "Previously on..." into the episode.

RICHARD: I know.

HRISHI: Using the sound—

JOSH: [cross talk] A special kind of frontl.

HRISHI: Exactly, yeah!

RICHARD: And the rhythm of a heartbeat which, of course, is a classic sound used to create tension in any kind of, you know, horror film or thriller.

HRISHI: Mmmm. Actually, could you tell us about the pink rubber ball?

RICHARD: Yeah, I love that you call it a "pink rubber ball."

HRISHI: [laughing] I call it a Spaldeen, but—

JOSH: [laughing]

RICHARD: No, no, because that's relevant to the story! I had mentioned to Aaron, I said, "Look, if there's any opportunity to have Toby deeply trying to figure something out, then I wanna use a ball bouncing against my office wall as an ode to Steve McQueen in *The Great Escape*." And little did I know that the ball would become a character over the next couple of years. And so he wrote this and I asked the prop guy, you know, "Can I have a Spaldeen?"—which is actually Spalding, but we called Spal-DEENs back in New York when I was a kid—and he ended up coming with a bucket full of Pinkies? Is that what they are?

JOSH: Yeah! Is this like a Twizzlers/Red Vine thing?

RICHARD: It's a pink rubber ball, but it's a Pinky. And it says "Pinky" on it. And I said, "What's this?" And he goes, "Well, this is the rubber balls you wanted." And I went, "no," I said, "I specifically said Spaldeen." And he goes, "What's that?" And I go, "It's the ball you use when you ask for a pink rubber ball." [laughing] I'm being obnoxious but I said, "No, this is... he's from New York, he's from Brooklyn. This is what we use for stickball, this is what we use for handball,

this is what we use for stoopball; this is the ball that he would have.” And he goes, “Well, I don’t know how I’m gonna find that,” but he was great—what was his name, the prop guy?

JOSH: Steve.

RICHARD: Steve, and the woman he worked with...?

HRISHI: Blanche.

JOSH: Blanche, yeah. We’re gonna—

RICHARD: Blanche. How did you remember that?

HRISHI: Oh, I’ve been trying to get her to come on the show to talk to us.

RICHARD: How great were she and Steve!

JOSH: I remember working with Dulé to lure Steve into a closet and then locking him into it, which seems, in retrospect, unprofessional. [laughing]

RICHARD: And also, he’s such a nice man—

JOSH: [cross talk] He’s very nice!

RICHARD: — he’s probably still in the closet—

[Laughing]

RICHARD: — being too deferential to yell. Steve was kind enough to figure out how to get it, and it was a Spaldeen.

HRISHI: And I love, Josh, that you said this is a chance for us to get inside Toby’s head. Because I feel like the ball is, like, this externalization of Toby’s thought process but then you actually do... I think, again, they’re actually using the sound to represent the gears turning and, again, in this way that we’ve never seen before. So right before the credits play, when Toby’s going to Leo and trying to figure out what’s happening, and at the end you’ve kind of figured it out, and you’ve confronted him, he’s like:

[West Wing Episode 2.18 excerpt]

TOBY: Why does Hoynes think the President isn’t going to run again?

[A beat, while the sound of Toby’s ball, slamming into the wall, is heard.]

TOBY: What’s going on, Leo?

[end excerpt]

HRISHI: And right before the credits play, we hear the sound of the Spaldeen hitting the wall again.

RICHARD: Mmm.

HRISHI: Even though it is not on picture at all.

RICHARD: No.

HRISHI: And it’s not something that’s cut to. This is, like, a use of sound that we’ve never seen on the show before.

JOSH: Yeah, that’s right.

HRISHI: And the only thing that it could really be is, like, you know, it's in Toby's head.

JOSH: Can we shout out the sound people? I have sound mixer Kenn Michael Fuller; supervising sound editors, Walter Newman and Thomas A. Harris.

HRISHI: Yeah.

RICHARD: Well, what's also great about it is, it's also a time leap. In other words, Toby has been continually [cross talk] thinking about this and pounding the wall with that ball, even though we don't see it.

HRISHI: [cross talk] Right.

HRISHI: Right, yeah. It says, "The Same Night," "Two Nights after That..."

JOSH: I like that because it's also, it's borderline comical [cross talk] the way the chyrons work, "Two Days Later..."

HRISHI: [cross talk] Right.

HRISHI: [laughing] Yeah.

JOSH: And I like that you disavow, later in the Oval, any particular ability to sleuth things out.

[West Wing Episode 2.18 excerpt]

TOBY: I have no kind of investigative mind. Zero. It took me six days and 23 minutes to figure it out.

[end excerpt]

JOSH: Toby's smart enough to know there's something there and he's just gonna gut through it until he's figured out what's going on.

RICHARD: Yeah, it's quite a puzzle that he deciphers. And I love the steps that Aaron took. You know, first it's why is he giving a speech on the pollution in the industrial corridor—or something like that—it makes no sense. And I think the first deduction, or conclusion, was that the President was gonna remove him from the ticket, like Nixon/Eisenhower. And then, slowly, he puts pieces together and figures it out. But in watching the episode, something I remembered, of course, when we did it, was how phenomenal John Spencer was in this episode. And I always look to the listener when I'm watching stuff—

HRISHI: You mean the person who's not speaking in the scene?

RICHARD: The person who's not speaking, and Leo has the least to say in this three-character play. And yet, the steps that I take in the Oval Office, every time I stepped across, Toby steps across another line... Alex brilliantly would cut to Leo.

HRISHI: Mmm.

JOSH: Hm.

RICHARD: And Leo, at one point, he fixes his collar 'cause that's a line that was crossed. Another point he puts his hand to his head but he's reacting impactfully to every degree of difficulty that this unfolding story takes.

HRISHI: I think the blocking is really nicely done there too.

JOSH: Beautiful.

HRISHI: And also, like, positioning Leo sometimes between the two of you.

RICHARD: Yep.

HRISHI: Or the President goes behind the desk. There's like, using all of the props and the bodies in the room to reinforce the tension.

RICHARD: And the great shot that Alex pulled off, there was one moment when it was very clear that I was accusing the President of lying, and the President steps out of the frame and what's left behind is—it's a little cheeky, corny, if you really have to think about it—but left is a very well-lit portrait of George Washington.

HRISHI: George Washington, yeah.

RICHARD: And it just lasts for half a second but it's kinda brilliant.

JOSH: Yeah. There's also a little sculpture of a cowboy riding a bronco that's very nicely lit in the Oval and I thought that's also kind of the situation that's getting out of control, they're trying to sit on it. I thought that was also a good little symbolism there. But one of the things that occurred to me with this sequence with you and John is that, uncharacteristically, the audience is ahead of what's going on. We know that Toby's getting ever closer to this piece of information that Leo has and it's sort of the flip of how things usually work on *The West Wing* where [cross talk] the characters are talking about stuff and we're kind of a step or two behind, trying to figure it out.

HRISHI: [cross talk] That's right!

HRISHI: Yeah.

RICHARD: That's a great point. And the other thing about John, each sequence when I go into the office, the way in which Leo denies any meaning to my questions is phenomenal.

[West Wing Episode 2.18 excerpt]

TOBY: Yeah, but why did he put the poll in the field at all, is what I'm saying.

LEO: John Hoynes is an egomaniac who needs to be told what people think of him.

TOBY: [chuckles]

[end excerpt]

[West Wing Episode 2.18 excerpt]

TOBY: The poll that Hoynes put in the field...

LEO: Hoynes is going to run for President one day. Why shouldn't he do his own polling?

TOBY: He's going to run for President six years from now, what good does last week's do?

LEO: I really don't know.

[end excerpt]

RICHARD: When we played poker with John, you know, in the Celebrity Poker, and I remember winning the round, and it was me and John were left as the last two in that All-In poker game. And I was bluffing on the last hand, and I remember John saying something to himself which it

was intended to create a bluff of his own, to deflect my purpose there or something. And I so clearly knew he was lying— [Laughing] ‘Cause I knew John so well and, you know. John had his secrets, you know, and he’d be talking to you personally and he would always kinda cover up his secrets and you wanna go, “John, you know, stop...” [laughing]

JOSH: “I can read you.”

RICHARD: “We know you’re lying. Why? Because you’re twitching.” And so that the fact that he is such a truth-teller by nature, for him to be able to construct the way that Leo lied or denied, I just was very impressed.

JOSH: Oh, that’s interesting.

HRISHI: In that Oval Office scene there’s one moment that I really love, in particular, your performance when the President says:

[West Wing Episode 2.18 excerpt]

PRESIDENT BARTLET: That’s because I never signed the letter, but I don’t think I got shot because I got MS.

TOBY: I don’t think you did either, sir. I meant that during a night...

[end excerpt]

HRISHI: There’s a little bit of outrage creeping into his voice, but the line there doesn’t even totally make sense, like, the argument that he’s presenting doesn’t really make sense. And you say, “I don’t think you did either, sir,” and the way that you say it is like, trying so hard to be respectful but also like, “Yeah, give me a break! What are you saying to me right now?” There’s so much dexterity in the delivery of that line of, like, trying to do that thing that you were describing, of still keeping your status below him but also being like, “What the [expletive deleted]?”

JOSH: Ridiculous!

HRISHI: Yeah, ridiculous!

RICHARD: Does that happen before I let him have it about a coup d’etat?

HRISHI: This was before, yeah.

RICHARD: Yeah.

HRISHI: This was, like, the first step.

RICHARD: Of course I’m remembering, in playing it, having this obstacle to deal with. So I was looking for that when I was watching it again this morning. And I remember after that coup d’etat thing, which of course is the great, the great writer’s vault, right, the long speeches when you have so much to say you can’t help yourself.

HRISHI: Mmm.

RICHARD: And then I looked for, you know, how I was doing that and I—of course, he couldn’t contain himself, and he couldn’t, because the issue was so profound and he was right! And Toby’s right. And then after I finished saying:

[West Wing Episode 2.18 excerpt]

TOBY: I wasn't in the Situation Room that night but I'll bet all the money in my pockets against all the money in your pockets that it was Leo... who no one elected! For 90 minutes that night there was a coup d'etat in this country.

[end excerpt]

RICHARD: And then before the President says:

[West Wing Episode 2.18 excerpt]

PRESIDENT BARTLET: And the walls came tumbling down.

[end excerpt]

RICHARD: Which is a great line that he delivered so beautifully. There's a long pause. I don't like to use the word "pause," but there's a long beat. And first I finished the speech and I remembered being somewhat surprised that I got that out. And then there's a, then it cuts to Leo and the President and then back to me, and then there's a moment that I have, which, I'm really kind of... I'm glad that that happened which was kind of a recovery, you know, like, being still stunned that I said it and still stunned of the history that's happening in the Oval Office as we speak. And that's editing. And Alex was always great with editing and allowing the moments to live and breathe and change in the silences, which is what happened there.

HRISHI: I think I follow but I was wondering if you could expand on why you don't like to call it a "pause."

RICHARD: Because a "pause" implies that nothing's happening. I like to call 'em "stops," where something happens, where there's a reaction that stops the other person. And they need to recover and figure out the next move, the next action, the next beat. Pauses are... you know in music, when you have rests, it comes after maybe some kind of climax or some kind of thing that needs a change to happen and you get a rest and then something else. And in acting, that's where the music is, you know.

HRISHI: Hm.

RICHARD: The music is in the stops, or the rests. And they have to be earned, in my opinion.

JOSH: Those of us watching the Super Bowl yesterday at my house were admiring the stops of Lady Gaga during her performance.

RICHARD: Really?

JOSH: That it was powerful when she paused in this incredible barrage [cross talk] of performance.

RICHARD: [cross talk] Yeah.

HRISHI: Mmm. Yeah, we've talked and asked—

RICHARD: Especially when it's that much of a barrage because there's a visual barrage...

JOSH: Yeah.

RICHARD: There's an audio barrage...

JOSH: Yeah, but then... and there's generally, in Aaron's work and in *The West Wing*, a verbal barrage.

RICHARD: Right.

JOSH: And when it slows or stops, that can have great power.

RICHARD: Yeah.

HRISHI: I do think that's such an important point to make that the spaces without notes are still part of music.

RICHARD: Yeah.

HRISHI: I love how the President's argument starts to fall apart as it's being taken apart by Toby. He says this thing about "I don't think I got shot because I got MS," which makes no sense.

JOSH: Yeah. He's off... he's rocked back on his heels in a way that we rarely see Bartlet, you know, intellectually knocked off his path or what he has to say. He's flailing.

HRISHI: Yeah!

JOSH: And then he gets into, almost like grade-school...

[West Wing Episode 2.18 excerpt]

PRESIDENT BARTLET: I feel fine by the way. Thanks for asking.

[end excerpt]

JOSH: I mean he's really just... it's like, with eyes closed...

HRISHI: Yeah!

JOSH: [laughing] Throwing punches, trying to land something...

RICHARD: He tells me to shut—in a scream, "Shut up!"

HRISHI: And he actually throws the notebook at you! It erodes... his capacity for debate is completely undermined.

JOSH: And also as I found it, I have seen this episode before but it's been sixteen years, so as we have [laughing] established...

RICHARD: It's been sixteen years?

JOSH: I saw it when it was originally on.

RICHARD: Wow, I haven't aged a bit.

JOSH: No, you really haven't. You look great!

RICHARD: [laughing]

JOSH: So I've been—I remember in the earlier episodes, I've always been bothered by Bartlet's behavior vis-à-vis his MS. It's a huge issue!

RICHARD: Well, it's fraud. It's fraud.

JOSH: Yeah, it really is, as Toby says.

RICHARD: Impeachable.

JOSH: And he's so charming though, that you kind of—like you do with TV characters and

sometimes, sadly, with real people—you get pulled in by charm and “Oh, he’s so loveable!” and this and that but it has always been bubbling under for me. It was cathartic for me to watch this and I’d forgotten that it was coming in the form of Toby.

HRISHI: Yeah.

JOSH: To have someone to just say it to him already, you know. As much as these characters that we’ve grown to love are incredibly loyal to the President, Toby’s more loyal to the populace. First things first, the President has done an incredible wrong here and a potentially disastrous thing.

RICHARD: And it also, I mean, as Toby says to Leo out in the portico, you know, this could be a disaster for the Democratic Party—

HRISHI: Right.

RICHARD: And Leo says, “How?” And I said:

[West Wing Episode 2.18 excerpt]

TOBY: Leo, Hoynes left breadcrumbs. He wanted me to find out. A camping trip to Killington?

LEO: That was a jackass move.

TOBY: I don’t think it was. I think he may be the only one around here who’s acting responsibly.

LEO: To who?

TOBY: The Democratic Party. Seven and a half months to the Iowa caucus, and no one’s been told the President might not be the nominee!

[end excerpt]

RICHARD: He also says to Leo in another scene:

[West Wing Episode 2.18 excerpt]

TOBY: You don’t have to break the law to get served with articles of impeachment.

[end excerpt]

HRISHI: Right.

RICHARD: I think Toby recognizes not only have we committed fraud and the ramifications of that and the severity of the crime but also strategically, it could be a disaster.

HRISHI: Mmm.

JOSH: And what’s interesting is you see all these hats, actually. You make points as just as a humanist and a citizen but you also see political Toby saying, “This is bad,” so you kind of see him in all of his modes.

HRISHI: Yeah. I also love that you get the sense that the President knows all of these things, like he’s been sort of compartmentalizing this stuff so that when he’s being called on it, he know that it’s wrong and I feel like there’s even been groundwork for this that’s been laid. In Mr. Willis of Ohio, there’s a line where Leo and the President are talking about Leo’s divorce:

[West Wing Episode 1.06 excerpt]

PRESIDENT BARTLET: When did it happen?

LEO: Two weeks ago.

PRESIDENT BARTLET: And you're just now telling me?

LEO: Honestly, I know how you feel about Jenny. I thought you'd think that somehow you were responsible for it, and you'd turn that guilt into an inappropriate anger toward me, which frankly, I can live without right now. [under his breath] I can't imagine what made me think all that...

[end excerpt]

HRISHI: It feels like that part of his character has already been established, that when he's got these feelings of guilt, he lashes out because he's trying to absolve his own feeling of responsibility.

JOSH: Actually that speaks also to that moment towards the end when Toby finally points out that there's seventeen people:

[West Wing Episode 2.18 excerpt]

TOBY: It's 17 people, by the way.

PRESIDENT BARTLET: I'm sorry?

TOBY: You knew. We weren't counting you. It's 17 people.

[end excerpt]

JOSH: 'Cause even in the counting, he's completely compartmentalizing. He's avoiding the fact that he knew.

HRISHI: Right.

RICHARD: Which is what leads to him finally apologizing.

HRISHI: Right!

RICHARD: So that perforates that... that wall.

JOSH: Yeah, completely and very quickly. Because just moments before, he started the scene by saying, "I'm not going to apologize."

RICHARD: No, yeah.

JOSH: And finally, once you made—once you poked that hole, it's so thorough that a few lines later, he's saying, "I am sorry."

HRISHI: Yeah. I also love that this other scene about the Correspondents' Dinner—the other plot that's happening—has this really beautiful relief to it because of the comedy of it.

RICHARD: Yep.

HRISHI: But it still also shows the machine kind of grinding against each other. We know that there's this discordance happening in the Oval Office, and you wanna feel like the rest of team is on the same page. But even they're trying to figure out how to get... you know, the speech is being delivered and it's not funny to begin with.

RICHARD: There's a couple of things going on—which, of course, a brilliant playwright can

counter the deep kinda profundity of one story you have that is seemingly very light, but it's also set up because Toby's gotta go into that room at the end in a "life goes on" moment where he's now gotta be funny.

HRISHI: Right.

RICHARD: And interestingly enough, I wish I had forgotten they had thrown me the ball...

[West Wing Episode 2.18 excerpt]

SAM [OS]: Toby. [Sam tosses Toby his ball, which he catches.]

JOSH [OS]: We're dying in here, what do you got?

[end excerpt]

RICHARD: Totally throws me off. And then the camera pans up and you see Leo with *The Godfather* moment of closing the door. But also I thought it was brilliant that in the Correspondents' Dinner, the President has to present himself in public...

HRISHI: Right.

RICHARD: To the press, actually. And the public. And be funny. And all the problems of the world have to be put aside.

HRISHI: Right.

RICHARD: And in the middle of all that, you have two storylines because you have Sam and Ainsley talking about the ERA Amendment, and you have Josh and Donna battling over Josh making fun of the anniversary and then she reveals to him something she had kept from him, which is a medical history. [laughing]

[West Wing Episode 2.18 excerpt]

JOSH: You were in a car accident?

DONNA: It was...

JOSH: Seriously, you were in an accident?

DONNA: It was no big deal.

JOSH: You told me it was a late thaw.

DONNA: Yes. I did.

[end excerpt]

RICHARD: And that's why she broke up because her boyfriend stopped for a beer on the way to the hospital. And then at the end of that scene, which is beautiful and poignant because it's a foretelling of what the staff is ultimately gonna do after just getting thrown around by the betrayal of this information, they do what Donna and Josh do in that scene:

[West Wing Episode 2.18 excerpt]

JOSH: If you were in an accident, I wouldn't stop for a beer.

DONNA: If you were in an accident, I wouldn't stop for red lights.

[end excerpt]

JOSH: It's a great couplet.

HRISHI: So good.

JOSH: Oh, that's classic Sorkin.

HRISHI: I feel like at this point now, all bets are off in terms of their--the two of them acting as—

JOSH: Love. It's love.

HRISHI: Yeah, being in love.

RICHARD: The Catholic schoolgirl outfit line was also, you know... [Laughing]

HRISHI: That was crazy. Even like she says:

[West Wing Episode 2.18 excerpt]

DONNA: Yes, you are better than my old boyfriend.

[end excerpt]

HRISHI: Basically saying, "You are my new boyfriend!" [laughing] The whole thing is framed around "he's given her flowers," it's really... it is a love story.

RICHARD: It's also a loyalty story. That's the key of that relationship, what they're talking about is, "I'm loyal to you even though you crossed me."

HRISHI: Right.

JOSH: When I watch these scenes I think that Toby from The Office who handles HR—

HRISHI: [laughing]

JOSH: —really needs to talk about this. There's just inappropriate stuff happening at work.

HRISHI: Speaking of other NBC programming, in the area where Mrs. Landingham and Charlie sit [cross talk] there's two TVs on.

RICHARD: [cross talk] Oh, I've noticed that!

JOSH: I did too, yeah. They almost took me out of it a little bit because I'm like, oh yeah, it has to be NBC!

HRISHI: [laughing] Right.

JOSH: *The West Wing* is on NBC.

HRISHI: But I also like that it's Leno doing his monologue, which also—in a really subtle way—lets you know exactly what time it is. Like, this is happening late at night.

JOSH: Hmm.

RICHARD: That's right! I didn't think of that.

HRISHI: This is between 11:35 and 11:45 at night, but they're waiting to go into the Oval Office.

RICHARD: Good point.

JOSH: I hope actual comedians work on the Correspondents' Dinner remarks for a president, right? It's not—would it actually be his staff? Don't you think they'd bring in ringers to write—

RICHARD: Yes, I do.

HRISHI: Well, I know that—

JOSH: I mean, I hope Trump's staff will actually be writing his remarks. [Laughing]

JOSH: I look forward to that.

RICHARD: Speaking of where we are now in this tragic world, how remarkable it is to look back at this episode where the moral standards were such that this potential flaw in their character is such a big deal to everyone, to the entire staff. You know, if this was—can you imagine if this was Kellyanne Conway and Sean Spicer and, you know, they'd immediately flick over to, "Well, we'll just say MS is the flu, we'll just say whatever what we want to say."

HRISHI: Right.

RICHARD: "It's not gonna matter."

JOSH: Yeah, you don't imagine anyone speaking truth to power and if someone had the balls to do it, he wouldn't listen. [laughing] Something we have with both sides, Bartlet and Toby, you've got, again, a nice fictional alternative to what I imagine the reality is.

RICHARD: They would figure out a way to turn it into a positive vote-getter. That he defrauded the public [cross talk] and lied about being sick. Because he's smart! He's smart. "Wouldn't you lie if you wanted to be president?" Something like that.

HRISHI: [cross talk] Right.

HRISHI: Right, well, speaking of the speechwriters—who actually is responsible for the content of the Correspondents' Dinner speech—part of the reason why we are in this situation is that President Obama's speechwriters at the time, Jon Favreau and Jon Lovett, are the guys who were kind of responsible for that dinner where the President just dumped on Trump.

[WHCD 2011 excerpt]

PRESIDENT OBAMA: Now, I know that he's taken some flak lately, but no one is happier, no one is prouder to put this birth certificate matter to rest than the Donald. And that's because he can finally get back to focusing on the issues that matter—like, did we fake the moon landing? What really happened in Roswell? And where are Biggie and Tupac?

[end excerpt]

HRISHI: It's very funny.

JOSH: It was hilarious.

HRISHI: But they wrote it, and they've expressed regret now. You know, if you see Trump as a supervillain, then this is the, like, supervillain origin story. He was, he kind of was birthed from the absolute shaming that these guys did to him.

JOSH: Yeah, it was funny at the time.

HRISHI: [laughing] Right.

RICHARD: I was gonna say that Jon Favreau is such a good writer, that I would be very shocked if he wasn't in the room writing the jokes [cross talk] along with Jon Lovett. But you know, that's one mistake maybe that they made? Making that much fun of Trump at that time. But then this last May, he almost got through the Correspondents' Dinner and then he looks at

the crowd and he goes:

HRISHI: [cross talk] Yeah.

[WHCD 2016 excerpt]

PRESIDENT OBAMA: You know I'm going to talk about Trump. Come on.

[end excerpt]

RICHARD: And I was praying that he didn't mention it. I was praying that he'd just move forward without giving him more attention. But they didn't.

HRISHI: Yeah.

JOSH: It was a very early, I think, use of the word "snark" in this episode.

[West Wing Episode 2.18 excerpt]

DONNA: This is his way. He's just going to snark me every April. Prince of passive-aggressive behavior.

[end excerpt]

HRISHI: I read one thing where it said the first known use of "snarky" was in 1999, which would have been relatively soon. But then I read other things that pointed to usage from the 19th century, and the way that "snark" was used there seemed actually closer to the way it's used in the episode here, used as a verb.

RICHARD: The origin was 1999?

HRISHI: On one source that I read it said, "the first known use of 'snarky'"—I think like, the ironic kind of internet tone that we're used to—that word use first appeared in 1999. The word "snark" itself is actually...

RICHARD: I feel better now because somebody used that word to describe my reaction to something, and I went, "What the hell is 'snarky'?" [Laughing]

JOSH: Someone once described me that way.

RICHARD: Well that's...

HRISHI: Shocking. [laughing] When we first get to Sam and Josh when they're looking at the speech, there's this really beautiful little thing, but thinking about the staff being on the same page, they're literally on the same page. As we first come in, they're both reading the speech and they flipped the page at the exact same time...

[West Wing Episode 2.18 excerpt]

SAM: Hmm...

JOSH: Yes.

SAM: Well...

JOSH: You know what the problem with this is?

SAM: Yes.

JOSH: It's supposed to be funny.

SAM: *And yet...*

JOSH: *It's not.*

SAM: *No.*

[end excerpt]

HRISHI: And for a moment, everybody is in sync. But then later they admit that they are absolutely not a well-oiled machine, and Sam says:

[West Wing Episode 2.18 excerpt]

SAM: *We're doing great everybody, right?*

LARRY: *Sam, we've got one here but it involves a John Wayne impersonation and a sock puppet.*

SAM: *Yeah, we're eating it.*

[end excerpt]

HRISHI: I also love when Josh and Donna are talking about the flowers, Brad does his impression of Donna.

[West Wing Episode 2.18 excerpt]

JOSH: *I think what you're trying to say is, 'Why, thank you, Josh! They're beautiful! How very thoughtful of you! Not many bosses would have been that thoughtful...'*

DONNA: *Really?*

[end excerpt]

HRISHI: He, like, kind of goes into her voice, but his body language changes, too.

JOSH: [laughing]

HRISHI: He, like, does this kind of like, girly...

JOSH: He does it through the whole walk and talk. He is prancing around! Yeah, as only Brad can.

RICHARD: He was in prance mode.

HRISHI: [laughing]

JOSH: Absolutely. "Prancing with the Stars."

RICHARD: It was "all the bagels in the land" kind of prancing.

JOSH: That's right!

HRISHI: [laughing] Yep!

RICHARD: That was a funny moment.

[West Wing Episode 2.18 excerpt]

DONNA: *Oh, shut up! Honest to God, don't you ever get tired of the sound of your own voice?*

JOSH: *No, no, no, no.*

[end excerpt]

[Laughing]

RICHARD: He did like, four “no’s.”

HRISHI: There is a website, seventeenpeople.com, by a graphic designer named Jon White, and I wanted to mention it because it’s fantastic and anybody who loves this episode as much as we do should definitely go check that out. And I spoke to Jon White briefly about how he created it.

JON: My name is Jon White, and I’m the cartoonist and designer and developer of the website seventeenpeople.com. The one thing for, like, a three-year period I kept coming back to was watching “17 People.” It got to a point where, just as a creator of visual stuff myself, that there was something about this episode that was just inherently cartographic, there was something about it that was inherently diagrammable. There was geography; there’s people crisscrossing the floors—plural—of *The West Wing*; there’s stairs, hallways; there’s narratives that are being described by people that have their own sub-geographies...it just, it invites and dares you into diagramming it.

HRISHI: How long did it take for you to make the whole thing?

JON: Two and a half years.

HRISHI: Whoa.

JON: Yeah, but I want to stress here that that’s judging by Moleskine notebooks and when I’ve dated those, and there’s a link on the footer of the site to, like, a Flickr process album that kinda shows the stuff. So the idea first came to me, I think, late 2012. You know, when I watch it now, it’s been three years since the site and it’s been sixteen years since the show came out but it’s, even now, I’ll be reminded of why I think I registered with it so much.

HRISHI: Thanks to Jon for talking to us and also for making that site, seventeenpeople.com. Go check it out.

HRISHI: A couple episodes ago, I think was already thinking ahead to this episode. I feel like it’s come up on our show as well, this joke about pluralizing things.

RICHARD: Mmm.

HRISHI: You know, we [cross talk]

JOSH: [cross talk] I was delighted when that came up [cross talk] because we were just doing a collective

RICHARD: [cross talk] Attorney general.

HRISHI: Yeah, exactly!

[West Wing Episode 2.18 excerpt]

TOBY: Surgeon Generals, for all I know...

PRESIDENT BARTLET: The plural of Surgeon General isn't Surgeon Generals, it's Surgeons General. Like Attorneys General, or courts martial.

[end excerpt]

HRISHI: A couple of episodes ago, we we're talking about the director who had directed multiple episodes of Downton Abbey and you're like, "He's done four Downton Abbeys," and I said, "It's actually Downtons Abbey." And we have gotten so many comments from people saying, "Uh, actually, it would be Downton Abbeys."

JOSH: [laughing]

HRISHI: Like we need to add a laugh track when we're making jokes sometimes.

JOSH: I would say a fair amount of my Twitter feed is dedicated to seeing how stupid a comment I can make and still be believed by a significant number of people.

HRISHI: [laughing] Right.

RICHARD: It's a legitimate concern, because Attorneys General or Downtons Abbey sounds possessive.

HRISHI: [laughing]

RICHARD: So the attorney has a general somewhere; it's the attorney's general. The court has a martial standing in the back; it's the court's martial.

JOSH: There you go. I like that moment, in addition to just kind of being cute and funny, it's also a little precursor to the intellectual kind of battle that he's gonna do with Toby. Bartlet is very confident in his intellect, shows it off all the time.

HRISHI: Right!

JOSH: He's always saying these little things like this. Here he just corrects you but he doesn't know what he's in for, because Toby's intellect is about to grab him and not let him go for the rest of the episode.

RICHARD: Because of what you just mentioned about Toby's intellect, whenever—if ever—I got into a chess match with the President, I expected it to be much closer.

JOSH: [laughing]

RICHARD: In fact, and if I were to lose to him, I would play it as, "I'm gonna let him win."
[Laughing]

JOSH: Let him have one.

RICHARD: That's how powerful I thought Toby's intellect was, and brilliant and Nobel Laureate as the President is, I didn't think Toby gave him an inch.

HRISHI: Right.

JOSH: Yeah, absolutely. I completely agree. And also it's a different kind of thing. Bartlet's is words and this and that and he's gonna correct you on this, and Toby says, "I could care less," instead of "I couldn't care less." But Toby's got, he's got the real deal, nobody's gonna get the better—I mean, Toby's as sharp as anybody else.

RICHARD: And clearly from this episode, he's looking past the words. The words, [cross talk] the words aren't what it's about.

JOSH: [cross talk] Yeah.

HRISHI: [cross talk] Right.

HRISHI: Right.

RICHARD: Again, it's going back to the rests and the silences and its behavior that he's noticing.

HRISHI: Yeah.

JOSH: Speaking of bottle episodes as we were earlier, one of my favorite episodes of the post-Sorkin years is No Exit, which is a bottle episode in which there is a lockdown in the White House, and you and I are stuck in a room together and it may be one of your least favorite episodes, I'm guessing. [laughing] But I just wanna put a bookmark now, so probably...

RICHARD: Actually the very least favorite episode.

HRISHI: [laughing]

JOSH: I assumed. But I wanna book you now to discuss that one.

RICHARD: Okay!

JOSH: Probably in a year and a half.

HRISHI: Another little moment that I wanted to point out was Charlie when Josh goes in to talk to him. Charlie reading *The Cornel West Reader*, which I thought was a nice detail, and then Josh asks:

[West Wing Episode 2.18 excerpt]

JOSH: She's not coming to the Correspondents' Dinner?

CHARLIE: Probably not.

JOSH: Charlie, what's going on?

[end excerpt]

HRISHI: And Charlie just gives him this look that is, you know, he turns away from the camera so you don't actually see the face that he's giving him...

RICHARD: But you get it.

HRISHI: But you feel it.

RICHARD: And then he goes, "Sorry."

HRISHI: [laughing] Yeah!

RICHARD: Josh goes, "Sorry."

HRISHI: This episode might have been the first time that I was introduced to the phrase "credible threat," and now I feel like it's been such a part of the vernacular of TV in the 21st century. But I think that was the first time I heard that phrase and, like so many things about *The West Wing*, you know, sparked something in my imagination, I ended up later writing a One AM Radio song—which is my band, The One AM Radio—I wrote a song called "Credible Threats," that was, I think, partly inspired by this.

JOSH: Ah, fantastic!

HRISHI: Also had some NBC cross-over—there's a Tom Brokaw shout-out in the lyrics.

JOSH: We'll link to that.

HRISHI: Yeah, okay. JOSH: And who employs it in this episode?

[West Wing Episode 2.18 excerpt]

PRESIDENT BARTLET: Anyway, they're still looking at forensic evidence and we're going to talk again in a few minutes to decide if there's a credible threat.

[end excerpt]

RICHARD: Somebody was caught coming in from Canada with explosives.

HRISHI: Right.

RICHARD: And so he's gotta deal with the possibility of having to close down the airports, and in one little break back to business, I think I asked Leo—Toby asked Leo what's the problem with closing the airports, or something, and then the President answers:

[West Wing Episode 2.18 excerpt]

BARTLET: The scanners they use take an hour to search the luggage of 250 passengers. The condition requires two photo IDs. Most people only have one. Delays are the downside.

[end excerpt]

HRISHI: Yeah. If only there was something timely that we could connect that to now about airport inconvenience [cross talk] and security, but yeah.

JOSH: [cross talk] I got nothing.

HRISHI: [laughing]

JOSH: The other thing that occurred to me also is that this episode aired about five months before 9/11.

HRISHI: Right.

RICHARD: Did it?

JOSH: Yeah, and so that reverberated with me as I [cross talk] listened to the subplot about the President, the FAA.

HRISHI: [cross talk] Exactly.

HRISHI: That's why I thought, I was like, oh, "credible threat," that was the first time I heard it. But then it ended up being such a big part of everyday discussion...

RICHARD: Wow.

HRISHI: Every time you turned on the news they'd be talking about it.

RICHARD: It's fascinating because I didn't even think about when it aired in relation to that and because they were talking about a credible threat, I assumed it was after we had to adjust to the new world.

HRISHI: Right.

RICHARD: And, and deal with this kind of stuff. I had no idea it was [cross talk] watching it this

morning. By the way, I'd just have to shout-out to you because you mentioned you writing a song. The stuff you did with Lin-Manuel Miranda, which was awesome.

JOSH: [cross talk] Predictive.

HRISHI: [laughing] Thanks!

RICHARD: It was completely and totally awesome.

[What's Next song excerpt]

LIN-MANUEL: I'm Toby Ziegler with The Drop In / What Kind of Day Has It Been?

[end excerpt]

RICHARD: And if people haven't checked that out yet, they should. How do they find it?

HRISHI: It's on our website, and it's also—

JOSH: Downloadable at iTunes and wherever finer podcasts are given away for free.

HRISHI: hmm.

RICHARD: I was so, I'm always so moved when Lin-Manuel Miranda, who is responsible for the greatest piece of art in my lifetime, does anything related to our show.

HRISHI: [laughing] Yeah.

RICHARD: You know.

HRISHI: When did you go to the show?

RICHARD: The original cast was still there. I'd heard all about how great it was and chose to read nothing about it, as I do when I know I'm gonna see something and I don't want to read anything about it to affect my, kind of, innocence to it.

HRISHI: I did the same thing.

RICHARD: Do you?

HRISHI: Mmm.

RICHARD: Yeah, it's a lost art. You know, and so I finally got tickets through Kristen Bell, actually, which I was very grateful for. And I went with my son, Gus, and I had noticed that Lin-Manuel Miranda was following me on Twitter and I went, "Wow, that's odd," and I followed him and that was the end of that. And then I got the tickets and outside, in front of the marquee, I posted on Twitter with my son and I and these tickets, "I'm finally getting to see *Hamilton*." And then I get a direct message from Lin-Manuel Miranda going, "Which show you coming to?" because it was a Wednesday, it was either the matinee or the evening. So I texted back to him, "Evening," and didn't hear anything. When I saw the show, from the first note I was weeping.

JOSH: [laughing]

RICHARD: I was just absolutely blown away. We were sitting in, like, the fifth row and, you know, I was just overwhelmed by how incredibly beautiful and moving it was. And the guy next to me was one of the original producers up at New York Stage and Film at Vassar, who I knew from that, and he goes, "Can I take you backstage?" and I went "Yeah." So I—my son and I go backstage and the first person I see is Lin coming out of his dressing room and I'm still, like, you

know, trying to maintain emotional respectability—which I’m not doing a very good job of—and he comes up to me to shake my hand, I slapped his hand away and I said, “Get the [expletive deleted] outta here,” and in my big hug and I’m starting to, like, lose it. And I go, “I just need a second, I just gotta figure out what I’m gonna say,” and he starts to cry.

HRISHI: Wow.

RICHARD: And he goes, “You don’t understand,” and I went, “What?” And he goes, “You’re the reason this show exists!” And I went, “I’m sorry, what?” He goes, “You! *The West Wing*. You’re the reason--” He goes, “You know that song?”— and I don’t remember which song, but—“you know that song, dadada, and this scene?” And I go, “Yeah,” he goes, “That was your episode when--“ and he goes, “You see me do this,”—and he puts his hand to his heart— “in that scene with so-and-so,” and I went, “Yeah, I did notice that...” “I was showing off because I knew you were in the audience!”

[Laughing]

JOSH: Oh, that’s awesome.

RICHARD: And I’ve never, ever, ever been so proud to be associated with this show than that moment because to me, the greatest piece of art ever created in my lifetime was a response or inspired by *The West Wing*.

JOSH: The best part about not having read about it beforehand that first time you saw it is that you must have been so shocked when Hamilton gets shot in the end.

HRISHI: [laughing]

RICHARD: I knew because of the peanut butter commercial!

[Got Milk ad excerpt]

[phone rings]

HISTORY BUFF: [unintelligible] Hello?

RADIO ANNOUNCER: Hello! For ten thousand dollars—

HISTORY BUFF: [unintelligible] Aaron Burr!

RADIO ANNOUNCER: Excuse me?

HISTORY BUFF: [unintelligible] Aaron Burr.

[excerpt end]

JOSH: Oh yeah, that’s right!

HRISHI: [laughing] Right!

JOSH: Nice callback.

HRISHI: That reminds me of when... [laughing] I’m not sure if she’ll let, she’ll actually let this... but I was watching John Adams with, with my wife, and she was so caught up in, in Paul Giamatti’s performance and the whole thing, like, the dramatization of it. At one point, you know, John Adams is really mortally ill with pneumonia or something like that, and she looks at me and she’s like, “Does he die?” And I was like, “He isn’t the president yet!” And she was like, “Oh,

okay.”

JOSH: [laughing] That’s funny! That’s funny.

RICHARD: That’s so a question my wife would ask me.

JOSH: That is really funny.

RICHARD: Like, in the middle of *The Godfather*, you know, she’ll go, “Does Fredo make it?” Yeah. Having seen it eleven times. [Laughing]

HRISHI: Let’s talk about the ERA for a little bit.

JOSH: Having watched the episode then Googling around a little bit, I was surprised to learn that the ERA has been around since 1923.

HRISHI: Yeah.

JOSH: Three years after when we got the vote.

HRISHI: Mmm. In this section of the episode, Ainsley mentions that she’s supposed to be on a panel at Smith:

[West Wing episode 2:18 excerpt]

AINSLEY: The women's studies department is having a panel on resurrecting the ERA.

SAM: Who else is on the panel?

AINSLEY: Rebecca Walker, Gloria Steinem, Ann Coulter, Naomi Wolfe...

[end excerpt]

RICHARD: There was no joke about Ann Coulter.

HRISHI: There was no joke about Ann Coulter.

JOSH: Right.

HRISHI: And I remember that she was the original inspiration for Ainsley’s character but—

RICHARD: Ann Coulter was?

HRISHI: Yes.

RICHARD: Wow, they missed.

HRISHI: [laughing] Yeah!

RICHARD: Missed by a long way.

HRISHI: I was also realizing that in 2001, Ann Coulter had not yet said her now infamous line— infamous to me, at least. She said to *The Guardian* one time, “It would be a much better country if women did not vote. That is simply a fact.” And I thought, if that had already happened, she probably wouldn’t have been invited by Smith to [laughing] talk about this. But yeah...

JOSH: Wow.

HRISHI: Even though she was supposed to be based on her, it’s a pretty big stretch that Smith would invite her even then--

JOSH: He did a, they did a delightful little revision [cross talk] in the creation of Ainsley.

HRISHI: [laughing] Yeah.

HRISHI: So to expand on the ERA discussion in 17 People, we talked to a couple experts. One is Rebecca Walker, who's actually name-checked in the episode as one of the participants in this panel at Smith that Ainsley is doing. Rebecca is a pioneer of third-wave feminism and she's been recognized for her work by The League of Women Voters and The National Organization of Women, *Time Magazine*, among others. We are also joined by the head of the ERA Coalition, Jessica Neuwirth. Previously, she was a policy advisor at Amnesty International, and she's taught International Women's Human Rights at Harvard Law School. We had separate conversations with Emily Procter and with our experts, but we thought it would be fun to try and present, like, a mini-ERA panel discussion of our own. Here we go.

EMILY: My name is Emily Procter, and I played Ainsley Hayes.

REBECCA: I'm Rebecca Walker, I'm a writer and I founded an organization called Third Wave, devoted to supporting young women interested in social justice work and trying to build a bridge between the second-wave of feminism and my generation of feminists.

JESSICA: I'm Jessica Neuwirth, President of the ERA Coalition.

EMILY: I think I was just born a feminist. I remember as a kid, people would always ask my brother what he wanted to be when he grew up, and they would ask me how old I wanted to be when I got married. And I remember being, like, horribly offended even as a child, and when the script came down and I had to argue against this amendment I just thought, "I can't do it!" And then as Aaron always does, he just teed it up for me so nicely and then watching the episode back, I had the same feeling, I was listening to myself and I thought, "God, I just, I can't believe that I'm saying these things," and I don't like what I'm saying and it's really hard for me to listen to myself because my own personal position is so different... and then you end up in the conference room and Ainsley says, you know, "I'm offended!"

[West Wing episode 2:18 excerpt]

SAM: How can you have an objection to something that says...?

AINSLEY: Because it's humiliating! A new amendment that we vote on, declaring that I am equal under the law to a man. I am mortified to discover there's reason to believe I wasn't before.

[end excerpt]

REBECCA: I think that was such an interesting comment, that she had that emotional charge of being humiliated. I really understand the desire that she feels, you know, that we want to be de facto taken as equal, that we shouldn't have to have some kind of amendment or law that declares that we are equal.

[West Wing episode 2:18 excerpt]

AINSLEY: I am a citizen of this country. I am not a special subset in need of your protection.

[end excerpt]

REBECCA: And yet, we are treated as a subset because if we were not treated as a subset, historically, in this country, we would have been included in the original Constitution.

[West Wing episode 2:18 excerpt]

AINSLEY: The same Article 14 that protects you, protects me. And I went to law school just to make sure.

[end excerpt]

JESSICA: I think the biggest misconception people have is that the 14th Amendment protects women's rights. That's not what the 14th Amendment is originally passed to do, and what is worth remembering is that even just to get the right to vote, women needed another amendment—the 19th Amendment.

REBECCA: You know, it wasn't until the '70s that gender discrimination was even included, or enforced, under the 14th Amendment.

JESSICA: But it's also true that it's never effectively done that. One of the most dramatic examples is the different standard that's used by the courts under the 14th Amendment to judge sex discrimination. So if a case comes to the court on race discrimination, it gets judged by a higher standard, which is called "strict scrutiny." But if a case on sex discrimination comes to the court, it gets judged on a lower standard called "intermediate scrutiny." And those cases are much more likely to fail because it's a lower standard of review, so even in reviewing discrimination cases, the court is using a discriminatory standard when it comes to sex discrimination.

REBECCA: Scalia said that, you know, women were not protected under the 14th Amendment, and that was a mystery to the Constitution because it's not explicit or clear.

JESSICA: Scalia very clearly said, publicly, that while the 14th Amendment doesn't require discrimination on the basis of sex, it doesn't prohibit discrimination on the basis of sex. And in the jurisprudence it's quite clear when the standards came up that Scalia and others felt like that was never the intention of the Founders and if that's what you want, you need to put it in the Constitution, which is virtually his endorsement of an amendment.

HRISHI: Yeah, he really made the best argument for the need for the ERA.

JESSICA: Yeah, we use his quote quite a lot because if we want to protect women from sex discrimination, we need to have that amendment.

REBECCA: So I guess what I would say to her is, "I hear you, Ainsley, I hear your emotional sense of being humiliated and yes, it is very painful to think that we are not just naturally considered full human beings under the law and that we have to have an amendment. And yet, you know, as a Black person, as an immigrant, you know, this is how our country works. We have to become enfranchised through this process or else we find ourselves unable to advocate and, more importantly, litigate on behalf of our own interests.

HRISHI: So what's the biggest obstacle right now for the ERA?

JESSICA: Well, I think that the greatest hurdle we have at the moment is a lack of awareness and that kind of misimpression that's reflected in that scene that we don't need it. So I think that's really the greatest challenge. In many ways, adding women to the Constitution at this moment in time is a no-brainer, it's just that it's not seen as a priority—there's never been a hearing, there's never been a vote, and it's just not on the legislative list of priorities. It's a

fundamental principle of human rights that really should be in our Constitution; it sets the standard in stone, that sex equality is a fundamental human right. And that's a provision that you find in almost all other countries' Constitutions and it's a provision that we in the United States' government have really pressured other countries to put in their own Constitution—like Afghanistan and Iraq. It's a principle that we stand for but it's not reflected in any way in our Constitution. It was something that was intentionally omitted when the Constitution was written, and I think it's high time that we just go back and put it in there because it's a statement of principle that will have a lot of impact in terms of all of our efforts to try to move towards a greater sense of equality. The Constitution is, in many ways, not only a legal document but it's really the highest formal expression of public policy.

REBECCA: I really want to say that I enjoyed the exchange. As somebody who hasn't watched *The West Wing*, I was watching it yesterday, I was completely sucked into it and I was inspired, you know, by the conversation.

JESSICA: If there's any way people would like to get more information, definitely, on our website, eracoalition.org, is a lot more detail about everything I've said, as well as how you can get involved and make a difference.

HRISHI: We'll have a link to the ERA Coalition website and links to learn more about our panelists up on The West Wing Weekly website.

[music]

RICHARD: I have a question: when was this episode shot?

JOSH: Well, it first aired in April 2001.

RICHARD: Because I always remember that during the Convention in 2000, which was also the week my daughter was born, and that was relevant because she was gonna be born at Good Samaritan Hospital, which was in the circle of protection around the Staples Center where the Democratic Convention was. Meaning, if my wife went into the labor, the Secret Service would prevent us from getting to the hospital.

JOSH: Even though you're on *The West Wing*?

RICHARD: That could, that might have helped.

HRISHI: [laughing]

RICHARD: It turned out not to be necessary. And I remember doing a very, very important scene in the Oval Office—a very difficult scene, and I remember this being the hardest scene I'd ever done up to that point. And as we were starting, the door burst open and in came a camera crew followed by Matt Lauer and Al Gore, who was the Vice President at the time. And you know, everyone was so excited, the *Today* show was here and the Vice President was here, and I was just pissed off. You don't come onto the set when [cross talk] we're about to do difficult work. That was my attitude then; I've only slightly adjusted that attitude now.

JOSH: [cross talk] "I work here." [Laughing]

RICHARD: And I always thought it was this scene in the Oval, I always remembered it as this was scene when that happened but it couldn't have been.

HRISHI: No, but there was a visitor on the set; I wanted to ask you about this. So I read that George Stephanopoulos was on set when you guys were filming this episode. Do you remember that?

RICHARD: I wouldn't, because I would have refused to talk to him.

HRISHI: [laughing]

RICHARD: I read his book and I knew him and I had met him and I had dinner with him but people on the set always bugged me, especially doing difficult work. So there's a good chance I hid behind a flat somewhere and did not engage.

JOSH: [laughing]

HRISHI: Here's an interview I found with you. You said, "The series is gonna change and go to a place where it can never go back to where it has come from. Something really big is happening, really profound. George Stephanopoulos was on our set and he was going, 'Oh my God, we've never dealt with anything like this.' He was blown away by it. It's exciting to have real White House people feel that way and to have them there and have them get into a whole discussion with us about the ramifications of the story is just great."

RICHARD: So you're calling me a liar.

HRISHI: [laughing]

JOSH: Right, that's exactly what just happened there. Truth to power!

HRISHI: I'm just [cross talk]

JOSH: [cross talk] Go, Hrishi!

HRISHI: [laughing] No, I'm just—

RICHARD: I don't remember the conversation with Mr. Stephanopoulos but I'm surprised I gave away that much information. "Something big is happening."

JOSH: Yeah, I've never heard promotional Richard before...anything. [laughing] It's jarring.

RICHARD: [laughing] "Something big is coming, you have to stay tuned!"

JOSH: You're being a company man.

RICHARD: There's one—I mean, speaking of those difficult scenes, there was always the potential for me to crossover into hysterical laughter— [Laughing]

RICHARD: — which you remember.

JOSH: Oh yeah, I've witnessed it.

RICHARD: And I was watching the episode, I had to go back when Martin says:

[West Wing episode 2:18 excerpt]

BARTLET: I have Multiple Sclerosis, Toby.

[end excerpt]

RICHARD: And I had noticed he stumbled [cross talk] on the line. Now, I don't remember this accurately but there's a good chance that that was the eleventh time he tried to say it, and that's

the take that they had to live with...

JOSH: [cross talk] I did too.

JOSH: That was the best of eleven.

RICHARD: Which means there's a very good chance we spent about 45 minutes laughing over the previous ten takes. [Laughing]

JOSH: That's funny, I absolutely took that in, as well.

RICHARD: *stuttering* "Multiple Sclerosis." [laughing] He couldn't quite get it.

JOSH: It's a good thing he didn't have to say "Phyllis Schlafly."

HRISHI: [laughing]

RICHARD: That's what it reminded me.

JOSH: [laughing] He would've never completed the episode.

HRISHI: There's one other part that I wanted to address because people have sent us messages about it. A bunch of people have theorized that the "spilling coffee" thing that Sam Seaborn mentions when he's—they say:

[West Wing episode 2:18 excerpt]

ED: What the hell took so long?

SAM: We got the coffee but then I spilled it coming up the stairs, you know, the first couple of times.

[end excerpt]

HRISHI: People are like, "I've always felt like that meant that they actually went off... and, you know—"

JOSH: Oh.

HRISHI: They're having an affair. And I would just like to say on the record that I think that's ridiculous.

RICHARD: It never crossed my mind.

HRISHI: Yeah. I mean, I love their will-they-won't-they kind of tension there but—

RICHARD: Was that already there in that episode?

HRISHI: They've got some nice chemistry, and I guess when you have two people who are—have some kind of electrical connection and they're both that attractive...

RICHARD: Oh, it's the James Carville, uh...

JOSH: Mary Matalin?

RICHARD: Yeah, Mary Matalin.

JOSH: Just to be contrarian, I'm gonna say that I completely buy that theory. It's all coming together for me now.

HRISHI: [laughing]

JOSH: And when she says she goes back down because she found there “a peach,” I think she’s going to get her panties back.

RICHARD: Or she wants seconds.

JOSH: Entirely possible, though she goes back alone so... doesn’t reflect well on Sam’s performance.

RICHARD: Might be a wink to...

JOSH: Right, “meet me there.” Could be. Could. Be.

HRISHI: In closing—

JOSH: [laughing]

HRISHI: I wanted to talk about the end of the episode a little bit [cross talk] and go back to this thing about sound. We mentioned it before, about that transition, you go from the Oval Office into this room where the guys are trying to still riff on this Correspondents’ Dinner speech and there’s that brief interlude. Not a pause but, you know, a beat where you’re in between the two doors, and the sound is very, very quiet. And then you walk into this room and immediately, it’s like this cacophonous thing of all the guys talking, everybody’s yelling, you sit down, you get thrown the ball and then I like *The Godfather* shot, you see Leo closing the door on the world outside of the Oval Office. And then we get this flentl of what could be the sound of the door closing? They do this really neat thing where he’s closing the door and it cuts to black and, based on the timing of how he’s moving the door, you hear this thing that should be like, ka-dunk.

JOSH: [cross talk] Sure.

JOSH: Engage.

HRISHI: But it actually ends up being the sound of the rubber ball once more, and it’s revealed because the last thing you hear is the Spaldeen hitting Toby’s hand. Like, getting caught.

[West Wing episode 2:18 excerpt]

[The sound of Toby bouncing his ball once against the wall and catching it.]

[end excerpt]

RICHARD: Oh, I didn’t even, I didn’t notice that. But I will say something about the end.

HRISHI: Mmm.

RICHARD: First of all, it was a bit of an anticlimax, the last scene with the President. It didn’t have the emotional impact that I think might have been appropriate.

HRISHI: Hm.

RICHARD: In that, he apologizes, and I kind of don’t know what to do and I say, “Thank you, Mr. President,” but the impact of it hits Toby outside. He takes a minute and then crosses into the hallway and then he comes in, sits down, that’s—the cacophony hits and the ball, and then it pans up and you see the door close.

HRISHI: Yeah.

RICHARD: And now I think—this is my opinion—that it should've been reversed. Because the secret's already out. The cacophony and everyone else who's eventually soon gonna learn about this, to me, was the point [cross talk] and not what's going on in the Oval Office. 'Cause that's already out.

HRISHI: [cross talk] Right.

JOSH: I know what you mean by the anticlimax of that final scene but I like it, in a way, because Bartlet gives you the [cross talk] apology that he announces his intention to deny you, and it's a little bit of a "So what?" I mean, that's a little bit of an interpersonal thing, but it doesn't address any of the problems [cross talk] that you've foreseen. Right, nothing changes. They still have a door to close, they think on it or a hope, but—

RICHARD: [cross talk] Apology.

RICHARD: [cross talk] Nothing changes.

RICHARD: Right, but that's exactly why I think the reverse should have happened. Because nothing changes except the rest of the staff has gotta find out about it any second now, you know.

HRISHI: Thank you so much for joining us and talking to us about this episode.

RICHARD: It's my pleasure. Thanks for having me again.

HRISHI: We're gonna take a little break, and then coming up after the break, we're gonna talk to Emily Procter some more about her thoughts on "17 People".

[sponsored content]

HRISHI: And now we're joined again by Emily Procter to talk more about Ainsley Hayes in 17 People. Thanks so much for joining us! Thanks for coming back.

EMILY: I'm so excited to be back, you guys!

JOSH: Now that you're returning, you're officially a friend of the podcast.

EMILY: Nice!

HRISHI: So do you remember this episode? Do you remember shooting it?

EMILY: Well, okay, here's the thing that this forces me to do is that I go back and watch it and just am instantly filled with such incredible nostalgia. I do, in watching this episode, wish I had prepared many things differently in terms of the acting style, like, there's so much fun humor and there's so many back-and-forths with Rob—Sam—and there's so many personal things I remember about being on set for this one. And then again I just feel like there was so much wonderful opportunity, just like, here: set it up and hit it, set it up and hit it, set it up and hit it, and...

JOSH: But Emily, that's what you did!

EMILY: [laughing] Yeah, but he set me up for it! But I love Toby's stillness, you know, it's like, just admiring someone else's style, really, I think.

JOSH: But what do you mean when you said you wish you had prepared things differently or executed differently? What can you—is there anything specific?

EMILY: Gosh, there's so many of those group scene moments where I thought, gosh, if I just had taken a moment to be still, if I hadn't been doing such a quick fast tap dance. In this episode, it was so neat because Toby is so still, and that opening—when he's throwing the ball and catching it, and throwing the ball and catching it, and he's thinking it over—to me, felt so human. And then when I show up it feels a bit more like a musical, you know, darat-darat-da, darat-darat-da, darat-darat-da-da!

HRISHI: [laughing]

JOSH: Huh, that's actually something I can very much identify with then. I often do have the same feeling on *The West Wing* and other things I've done for Aaron, where I sometimes see them afterwards and think, "Oh, I probably could have breathed."

EMILY: [cross talk] Yes!

JOSH: "I might have taken a pause there." When you're doing it, the quintessence of his writing is this fast-paced dialogue, heavy speeches, and you feel like you gotta rat-a-tat-tat it, and sometimes I forget how powerful it is when you pause occasionally. And I do, I see it in some of the other actors, and I think, "Oh, maybe I could've come at this from a different direction."

EMILY: Right? You know, [laughing] like a more stable direction. You know, and then there's just like, the stillness of Toby. But then at the end, when he walks into all of it and the final scene—then there's that sort of rat-a-tat-tat and the chaos and, like, what seemed to be jarring humor—when he sits into it, it makes his stillness so delicious and makes so much sense, it's so juicy.

HRISHI: I was wondering if you could give us your take on the Ainsley/Sam dynamic. Did you feel like you played it with a particular take on their chemistry and what the subtext of their relationship might or might not be?

EMILY: Well, what I can tell you about this particular episode is that, uhm, Rob and I both got in trouble.

JOSH: Ha!

EMILY: [laughing] We were working on the scene in the basement and I don't think we'd seen Aaron the whole episode and he came down to the basement, and he was like, "Would you two just stop flirting with each other?" [Laughing]

JOSH: "You're forcing my hand as a writer!"

EMILY: Right? And he just yelled at us, and I remember thinking like, "It's not my fault!"

HRISHI: [laughing]

EMILY: You can't put me as Ainsley in a room with Sam Seaborn and Rob Lowe and not expect me to flirt! Because Rob Lowe—I said it the last time—is, hands down, one of the best flirts ever. He just is. You cannot be in a room with him—and I don't know, Josh, if this is your experience but—

JOSH: Oh, I flirt with him.

HRISHI: [laughing]

EMILY: You can't be in a room with him and not flirt with him. You can't do it. It is impossible.

And I said to Aaron, I said, “Well, then stop writing scenes where we’re flirting with each other!”

JOSH: [laughing]

EMILY: And I remember he was like, “Ugh!”

HRISHI: That’s amazing because I can’t imagine that those scenes were written with any other intention in mind than, than being incredibly flirty.

EMILY: Right?

HRISHI: But that’s incredible, and now I’m gonna have to try and rewatch it or reread the...
[Laughing]

JOSH: You know Emily, apparently, there’s a fairly sizable group among the fandom that thinks that something happened down there between you and Sam, that there’s some lost time to account for.

EMILY: Oh, God! Yes, absolutely. Let’s encourage that.

HRISHI: [laughing]

JOSH: Alright, we can do that.

HRISHI: The theory is that when Sam comes back and he says, “I spilled coffee, and then I went and got more, and we spilled coffee many, many times,” everyone is like, oh, “spilling coffee,” that means...well, we all know what that means.

EMILY: Well, that’s so funny! I heard that today, and I kinda heard it for the first time and I thought, “What does that mean?” Well, Ainsley locked me out of that but it sounds delightful.
[Laughing]

EMILY: Can I tell you the other thing I remember about that episode? I remember sitting there and he turns to me, and he’s like, “You have no idea what I would give to be in your shoes. You’re only here part-time. You recur.” He’s like, “It’s the best. I wish I were only here part-time. This is hell.” And, and I remember him saying that to me and how it has stayed with me, and then I remember being on *CSI: Miami* and looking at those recurring characters and thinking, “You have no idea what I would give to be in your shoes right now. This is hell.” [laughing]

HRISHI: Oh, it’s awesome.

JOSH: I had one other question; it’s going back to the ERA discussion. It’s interesting to me, when you would get a script—if I’m understanding correctly—you would bump on something if it didn’t sort of feel like something in line with your beliefs or your views. I mean, is that—is that a first consideration?

EMILY: No, I think it’s the only time in acting it’s ever happened to me, was that episode.

JOSH: It just felt...

EMILY: Yes. I mean, I am just a real feminist, and it’s the only time I have ever been asked, I think, to take a position with a role and it felt very personal to me. It was really hard, and I remember, you know, as I’m walking down the hall in that scene—I don’t know if you guys remember that television show *Zoom*?

JOSH: Of co—are you kidding? 0-2-1...

EMILY: But as I'm walking down to go into the cafeteria with Sam, I do this kind of like wrist twist thing that I learned off of *Zoom*, and it got caught on camera but I was trying to sort of work myself from a very innocent part of myself into being okay with making this argument. And I didn't realize that it had shown up on camera because I don't normally watch things that I've done, and I thought, "Oh my gosh, it's in there!" and I'm wearing this, like, purple hair ribbon and I'm like, doing the thing from *Zoom* and I'm like, "Teehee!" You know, "Who needs ERA?"
[Laughing]

EMILY: And it really surprised me, the end—Ainsley's argument at the end—because Aaron just wrote it so beautifully that it made sense to even me, even as myself. I was having a very meta moment. [laughing] It's like, me as me, arguing with myself, why I did that... and then it worked out!

JOSH: Yeah, and in the end, she comes off as anti-ERA, certainly, but not anti-feminist, I think in the way he wrote it and the way you played it.

EMILY: She came across as utterly feminist, which I just loved.

HRISHI: I agree.

JOSH: And before we get off the *Zoom* thing, the things I learned from *Zoom* were 02134—it was their zip code—Send It to *Zoom*!

EMILY & JOSH: 0-2-1-3-4, send it to *Zoom*!

JOSH: And I learned a little bit of Ubbi Dubbi, which is the made-up language they spoke.

EMILY: *whispers* Oh my gosh, that's amazing.

HRISHI: What show is this?

JOSH: *Zoom*! Where did you grow up, Hrishi? Oh, maybe it's more of a when did you grow up, Hrishi?

HRISHI: I've never heard of it!

JOSH: Hubi frubiends, tubodubay's wubeathuber rubepubort!

EMILY: [clapping and laughing]

JOSH: That's all I ever learned how to say: "Hi friends, today's weather report."

EMILY: God, that makes me so happy.

HRISHI: [laughing]

JOSH: I wanted to be a *Zoom* kid. I have to go back and watch it now, look at your wrist thing.

EMILY: Yeah, it was really weird. I was like, "Oh my God, that's in there!"

JOSH: That's awesome.

EMILY: The other thing I would say is I remember this, like, sort of long tracking shot of Donna and the flowers through the sort of work pen, and I remember teasing Don—the Steadicam operator—I was like, "Don got new Steadicam shoes!" And like, I can hear him laughing as that shot is happening. That's the other thing I remember about the episode. And I think the Sam/Ainsley flirting happened because it is impossible not to flirt with Rob Lowe.

HRISHI: [laughing] Fair enough.

EMILY: I really think that's just what happened. He just showed up, and Emily couldn't get out of Ainsley's way long enough [laughing] to stop flirting. It was just too fun! How could you not?

HRISHI: We had Rob Lowe on the, on the podcast recently and everybody has been tweeting at me, you know, congratulating me for not making a comment about how good-looking he was.

EMILY: Did you not flirt with him?

HRISHI: And for going through the entire interview without saying anything about how handsome he is.

JOSH: [laughing]

EMILY: Did you not flirt with him? Even with your eyes a tiny bit?

HRISHI: I could not see him. We were just doing it over the phone. That... that helped.

EMILY: Oh, yeah. Maybe he should be a Cabinet appointee—American Flirt. [Laughing] Just go to different countries and smooth things over. It's possible.

HRISHI: [laughing] Emily, thank you so much for joining us again.

EMILY: Thank you for having me back. I had such a good time and it's so nice to talk about *The West Wing*.

HRISHI: Thanks to all of you listening for joining us, as well. We hope you'll join us next time. If you want to discuss this episode with us or with other The West Wing Weekly listeners, you can leave a comment on our website, thewestwingweekly.com, or on our Facebook page, facebook.com/thewestwingweekly.

RICHARD: They can tweet me this time, and—

JOSH: Yeah!

RICHARD: I will, I will respond.

HRISHI: That's right, Richard is @Richard_Schiff, Josh is @JoshMalina, I'm @HrishiHirway, and our show is @WestWingWeekly.

JOSH: We also want to thank our multitude of great guests today. You can follow them as well! Emily Procter is @emilyprocter, Rebecca Walker is @rebeccawalker. You can tweet at Jessica Neuwirth of the ERA Coalition at @ERACoalition, and Jon White is @jonwhitebriefly, and you can see his current work at americanscraps.com. It's a site where he transforms documents from the National Archives about American history into comic strips. It's very cool, and you should definitely check it out. That's americanscraps.com. You can buy a lapel pin at westwingweekly.com/merch.

HRISHI: That's right. The West Wing Weekly is a proud member of the Radiotopia network from PRX, a curated network of extraordinary, cutting edge shows. Just check out all the shows at radiotopia.fm.

RICHARD: I love that the sign-off is equal length to the actual show. [Laughing]

HRISHI: Exactly! The West Wing Weekly is produced by Josh and myself, along with Zach McNees and Margaret Miller.

JOSH: OK.

HRISHI: OK.

RICHARD & EMILY: What's next?

[Outro Music]