

The West Wing Weekly
2.19: "Bad Moon Rising"

[Intro Music]

JOSH: You've chosen once again to listen to The West Wing Weekly, and we applaud your decision. I'm Joshua Malina.

HRISHI: And I'm Hrishikesh Hirway. Before we jump into "Bad Moon Rising." we wanted to take a second to address something from a couple of episodes ago; from the "Stackhouse Filibuster." In our timeline currently, we have just put out "The Stackhouse Filibuster." You're going to be hearing this a couple of weeks later, but we wanted to address one thing that came up.

JOSH: And also, I would say, every episode of the podcast leaves something we didn't fully cover, or something that could've been presented another way, and we don't always have the luxury, or we don't always take the time, to go back and address, but a couple of people reached out to us after the live episode was published and pointed out a glaring mistake, which is that we discussed autism on our own, we aired a couple of pieces of audio from parents of autistic children, and we failed to take into account that we had autistic listeners of the podcast, and a couple of them reached out to us and they made some interesting points that we wanted to include today.

HRISHI: We heard from a woman named Amy and a woman named Jill. I want to read a little bit from an email that we got from Amy. She said: "I want to invite you just to consider a fundamentally different viewpoint on autism. Autism is not a neurological deficit, but rather a neurological difference". She says: "Homosexuality used to be considered to be a disease that ought to be cured through severely psychologically damaging treatments, and we understand that being gay is normal and that trying to cure it causes a lot of harm and no good, and similarly, autism is broadly viewed as a disease to be cured or prevented and children are often subjected to psychologically damaging treatments in order to get them to go against their inborn neurology and act "normal"".

JOSH: And we also had a chance to speak to our listener Jill, who reached out to us, and now we'll play a little bit of that conversation.

[Conversation with Jill (an autistic listener of the podcast, with a Scottish accent) excerpt]

JOSH: Thank you for joining us. You reached out to us on Twitter, and I'm glad you did. You wrote "Seriously West Wing Weekly. You spoke to the parents of autistic children, why not speak to actual autistics?" and that was perhaps careless of us and so I'm happy you agreed to come on and talk to us about – I guess – about the episode both of the podcast, and the show in general and just some things that you objected to.

JILL: Yeah. When the episode actually first was broadcast, I didn't know that I was autistic, so I didn't notice anything the first time around. Whereas I've watched it in the past couple of years, the first thing that kind of jumped out at me was autism doesn't need a cure, it's not a disease. It's just "my brain works differently than your brain works",

basically. And, for some people, that can be sort of a big thing in their lives. Like the mother who was on the original podcast – it sounds like it affects her son far more than it affects me. I mean, nobody picked it up when I was at school. I was actually only diagnosed officially last year, which was the year that I turned 40. So it isn't as big a thing in my life as it might be for some other people. But it still does have an effect. I don't know how to make friends; I don't know how to sustain relationships and friendships. Things that you would probably think, every day, "doesn't everybody know how to do that," I don't.

HRISHI: I also noticed that, in the episode itself, of "The Stackhouse Filibuster," they don't talk about a cure. They're talking about autistic research. The thing that Stackhouse himself wants is to raise funds for autism care and research care, not a cure.

JILL: Mm hmm. Yeah. The other thing he brings up, which is a big thing, is that it's very under-diagnosed, and also it's very, very under-diagnosed in children of color. So possibly when we see a child's destructive in a classroom: maybe a white child, it gets picked up that they're neuro-divergent. A child of colour might not get picked up. It might get treated like a disciplinary issue. But yeah, under-diagnosing is a big thing.

HRISHI: So you weren't diagnosed with autism until you were already an adult?

JILL: Yeah, I was 40 when I was diagnosed.

HRISHI: And, does it change how you view this episode of *The West Wing*; knowing that about yourself?

JILL: Yeah. It does. It's me that they're talking about. That helped me. It can change my future. Even though I'm an adult and I have a job, you still need accommodation. You still do need help with certain things and it's still something that's – it does need research. It doesn't need a cure, but there are things that can help you. Yeah, it does change the way that I look at the episode itself. It is one of my favorites, even before I knew I was autistic. It's one of the best *West Wing* episodes ever, I think. It's still one of the few times on television that I've heard people talk about autism and mostly get it right. The only time we see autism on television – I think I've seen one woman on television who had autism, which was in *Elementary* – and I don't think I've ever seen a person of color who was autistic on television.

HRISHI: That's an interesting point.

JILL: But also, obviously you hear autism couched in negative traits. You know: "we can't communicate, we don't understand social cues." But also our positive traits come from being autistic. I work in a call center. I can learn new systems with ease. You know, it takes me half the time of other people because I'm autistic; because I pick up details very quickly. So if you take someone's autism away from them, you're taking away a lot of the positive parts of their personality, and not just things that cause them problems. And often, they're not problems because they're autistic. They're problems because people don't understand and don't make accommodations for them.

JOSH: What I hear you saying, and I think a couple of other people reached out to tell is, and I think was a bit of a miss in our conversation, is that autistic people are who they are, in part because of their autism, and ascribing a negative to that, or calling that a problem or a disease, that is problematic.

JILL: Yeah.

HRISHI: I'm wondering how, and I don't mean to put you in a position of having to speak for autistic people at large, but how, to a parent who does have a child who has a more severe case of autism where it's sort of impossible to get a sense for them of what their child might actually want?

JILL: I understand why, you know – if your child has very severe autism and you can't communicate or it's very difficult to communicate with them – I understand why people are saying "that should be cured." As I say, if we change their brain completely, it would take away their positive traits as well as the negative. What I would say to them is, "would they take away the autism or would they have as much care as they could want?" Because that's often a problem that parents of autistic children have is: they're kind of on their own, they don't have the supports that they need. That's where we should increase funding and research, rather than taking autism away from these kids. And, you know, you don't know what that would leave behind. Autism's not just these negative traits; it's positive things as well. So I would say to them that, "rather than changing their child's brain", that "they should have as much support as they can so that the child can live basically the best life that they can".

HRISHI: Well thank you so much for giving us your thoughts on it, your perspective.

JOSH: Part of the whole idea of the podcast is to help the listenership and Hrishika and me learn more and consider things that we hadn't before, and one of the things that we talk about so often on the podcast, and vis-à-vis the show, is the importance of language and precision in language, and not that this is just a question of what terms to use, but I can see how I had not considered how using the term "cure" suggests a, you know, a "return to whole" or that somebody who is autistic is "less than," and I appreciate your pointing that out and getting us back on course.

JILL: No problem. I hope your listeners in America can understand my accent. I know it's a bit thick.

JOSH: It's kind of fantastic.

JILL: Thank you very much!

JOSH: Thank you so much Jill.

HRISHI: Thanks Jill.

JILL: No problem at all. Thank you.

[end excerpt]

[Intro Music]

HRISHI: Today we're talking about Season two's episode 19. It's called "Bad Mood Rising".

JOSH: It first aired a year to the day before the birth of my son. That would be April 25th, 2001. This episode was written by Aaron Sorkin. The story was by Felicia Willson. It was directed by Bill Johnson. Bill Johnson, an Emmy-winning Editor of *The West Wing*. He won an Emmy for editing the "Two Cathedrals" episode, which we have not discussed yet. Interesting. I often think that fine editors, if they can also manage to figure out how to communicate with actors, they can make very good directors, because they have in mind already how to tell the story visually.

HRISHI: Right. I mean, they are, in some productions, certainly, the next biggest part of the storytelling mechanism besides the writer and the director. Here's a synopsis from TV Guide: "The president decides that he needs an opinion from Oliver Babish on whether his MS cover-up constituted a criminal conspiracy. Babish doesn't sugar-coat his answer. Meanwhile, an oil spill off the coast of Delaware hits home to Sam. Josh must deal with a Mexican economic crisis, while bickering with Donna about it, and Toby's on the rampage because of a press leak about a possible change in the president's position on school vouchers." And this episode is another episode title that comes from a song.

[Creedence Clearwater Revival's song "Bad Moon Rising" starts playing]

JOSH: Yes! I felt a little bit ripped off that we didn't get the Creedence Clearwater Revival. After "Somebody's Going to Emergency," I kind of figured [cross-talk] we'd get the music here.

HRISHI: [cross-talk] Right!

JOSH: It was a little head-fake from Aaron.

HRISHI: You can still add the song to *Sorkin Jams* Playlist though.

JOSH: *Cool Sorkin Jams* [cross-talk], please.

HRISHI: [cross-talk] *Cool Sorkin Jams*, sorry. [laughs]

JOSH: Yeah. I had the same thought.

[*Bad Moon Rising* stops playing]

JOSH: And can we start a Spotify playlist for *Cool Sorkin Jams*, if nobody has yet?

HRISHI: Let me work on it. We might have to create a West Wing Weekly *Spotify* account.

JOSH: Yeah. When I say "can we", I basically mean "can you make that happen?"

HRISHI: [laughs] Yeah.

JOSH: But I think you know that, and I suspect the listeners do as well.

HRISHI: [laughs]. So this episode features, in the opening, a new guest star, and a new White House Counsel, Oliver Babish, played by your buddy...

JOSH: Oliver Platt.

HRISHI: Am I right in saying "your buddy"?

JOSH: In the sense that I am very fond of him and I would like to believe that he is fond of me, and I have worked with him before. I haven't talked to him in a long time. We had a great time working for Warren Beatty on his political film *Bulworth*, where Oliver played Senator Bulworth's Right-hand Man, and I played Oliver's Right-hand Man. Oliver's a great guy and a great actor, and I'm sure people will recognize him. I first discovered him in – it was my senior Year at Yale; that would be 1988 – Oliver was in a production of Moliere's *Miser* at Yale Rep, and I remember at the time being knocked out by two of the supporting players. Oliver played Jacques. Tom McGowan played La Fleche, and they were at the time actors I had never heard of that were just incredible, and then they've both gone on to have amazing careers.

HRISHI: Yeah, he's a guy who's just always been around in my mind. Like, I couldn't remember the first time I've seen him in anything. He's just always been in things that I've always been watching. Most recently I watched the entirety of *Bored to Death* and he's great in that.

JOSH: And I guess he's currently – well I see that he's in a movie, I think, called *Emperor* – playing Pope Clement VII, that's yet to come out. And I guess he's on *Chicago Med*, the TV series.

HRISHI: That's right.

JOSH: I like Oliver as a new edition to the Mighty Sorkin Players. He brings an interesting flavor to the world. He's very still and underplayed and not rushed. Like, we were talking recently with Emily Procter about that feeling sometimes of giving into the dialogue and letting it spur you almost to speaking too quickly and feeling like you can't take a pause, and he very nicely works against that and has a very still, calm presence in the middle of a potentially volatile situation.

HRISHI: Yeah, there's actually a section of this episode that I noted specifically for that reason. The president says, "I don't need to be careful" and Oliver says "Ok." And then he takes a breath and he says:

[West Wing Episode 2.19 excerpt]

OLIVER: Ok. I'd like to ask you some questions now. These are preliminary and with no preparation and in no particular order.

[end excerpt]

HRISHI: And in that pause between "Ok" and when he sets up these questions, he does this thing where the camera stays on him, and you see he kind of drums his fingers on nothing in particular as he gathers his thoughts and what questions he's going to ask. I love that moment of just a brief contemplation and you get a sense of how brilliant this guy is, that he just needs that little moment to gather these questions, and then he's like "I'm going to ask you some questions, with no preparation" but they're like incredibly...

JOSH: Well thought-out and precisely what he needs to ask.

HRISHI: Yeah. Let me ask [laughs] you something that I had not thought about until watching this episode.

JOSH: Yes.

HRISHI: Does Oliver Platt ever remind you of a very big Samm Levine? [laughs]

JOSH: Hmm. Interesting.

HRISHI: [laughs]

JOSH: I think henceforth he will. Um. No. I can't say that that has ever struck me before.
[laughs]

HRISHI: [laughs] It never struck me either but there was [cross-talk] something...

JOSH: [cross-talk] Yeah, I can kind of see him in there.

HRISHI: Yeah. There were some expressions that he had in this episode that reminded me of Samm Levine, an actor from *Freaks and Geeks* and many, many other things. We have now seen John Larroquette playing Tribbey, who's the White House Counsel who hired Ainsley, and now he's been replaced by Oliver Babish. And I wonder why that was.

JOSH: My suspicion is casting busy character actors in occasional roles and that probably it was time to have White House Counsel again and John Larroquette was not available.

HRISHI: Right.

JOSH: This is based on no actual knowledge, just my guess that that's how these things sometimes unfold.

HRISHI: Yeah. And according to the president there have actually been five White House Counsel's in two and a half years.

[West Wing Episode 2.19 excerpt]

PRESIDENT BARTLET: Cochran, Gates, Solomon, Tribbey. Why can't I keep a head lawyer around here?

[end excerpt]

HRISHI: He asks this question but then in the episode you kind of get a sense of why he can't. You know, like, Oliver Babish is trying to do his job, trying to figure out what's going on and the president responds at one point:

[West Wing Episode 2.19 excerpt]

PRESIDENT BARTLET: So, yeah, I can hang out with you and answer insulting questions for a while.

[end excerpt]

HRISHI: But they're not really insulting. He's just trying to figure out what the hell's actually happened.

JOSH: That's true, but I think the president is acting, I guess not out of character, but in the last couple of episodes, we're seeing him in his all-too-human form. He's not at his best, in the same way that he reacted in sort of a base manner with Toby when Toby was pressing him, he also kind of reverts to his not-best-self when he's being pressed by Babish. And, certainly we're used to this sort of fair and self-deprecating and sharp guy, and it's interesting to see him in this sort of, kind of more immature [cross-talk], fallible, emotional – right – rocked-back-on-his-heels fashion.

HRISHI: [cross-talk] Emotional.

HRISHI: Yeah. And it makes me think that's why maybe he hasn't had a great relationship with his White House Counsels if they've had to be in a position like this, where they come in and challenge him in this way, and if he gives them this kind of attitude, they might be like "eh, you know what?"

JOSH: I feel like this is not how he would normally react. Like, he's reacting this way because he's in trouble, and it is personal and because he's the one who screwed up and put himself in this position.

HRISHI: Right.

JOSH: Yeah, although, I see what you're saying. Maybe when it ever has to do with something personal he's difficult, but I feel like this is a distinctive situation he finds himself in, or a distinctive situation and he's not at his best.

HRISHI: Maybe. Yeah. I think they leave room for the idea that people speaking truth to power with the president might not always get the best version of him, or something like that, but it's certainly not necessarily an easy relationship when that's your dynamic with the president. Even when he's in his better, more Bartletesque version of himself, it might still be something where there's a lot of friction and so you wear through the White House Counsels more quickly than you do other people in the staff.

JOSH: Fair enough. Also I like seeing how Leo handles the president. For instance, Oliver Babish is headed out the door to vacation, and he gets a call "Leo and the president are coming down to see you." And then we cut to Leo in the Oval with the President, and he hasn't even proposed it yet. So Leo's called ahead and said "we're coming" then he goes into the Oval to basically tell the president "you're coming with me." [cross-talk] I like seeing the handling.

HRISHI: [cross-talk] Yes!

HRISHI: Yeah. That's an excellent observation. That he does it first. He does it without asking.

JOSH: Yeah. He knows he's going to get him.

HRISHI: Yeah. There are a lot of moments in this episode that I think give us the chance to talk about things that have happened previously in the series, and, like, tie things together.

JOSH: Previously on *The West Wing*:

[West Wing Episode 1.05 excerpt]

PRESIDENT BARTLET: I didn't go to Law School. I got a PhD in Economics instead.

LEO: Your parents are very proud...

[end excerpt]

HRISHI: One thing we didn't talk about when we first covered this episode way back Season 1, episode 4, in "Five Votes Down", the president, in a speech, mentions a Civil Procedure Professor that he has, which implied that he went to Law School.

JOSH: Indeed.

HRISHI: And I think at that time maybe Aaron hadn't totally figured out the origin story of the president. We didn't yet know that he hadn't gone to Law School and that he was going to be this Nobel Laureate in Economics. And also, turns out, there is no Nobel Prize for Economics.

JOSH: Right. Have we covered that before? Because I know people – every time the president flaunts his Nobel Prize in Economics there are Gaff Squad types on our website who are like "there is no Nobel Prize in Economics", and apparently there is not. There is something called the Sveriges Riksbank Prize in Economic Sciences in Memory of Alfred Nobel. So it's not a Nobel Prize

HRISHI: Right.

JOSH: It's named after him.

HRISHI: Yeah.

JOSH: So it's either an alternate universe thing, where there is a Nobel Prize in Economics, or it's stolen valor on the president's part.

HRISHI: [laughs] Yeah. But so we're left hanging with this little moment and mention of his Civil Procedure Professor, which, if he didn't go to Law School, how did he have that. I think this episode is really funny.

JOSH: Yeah, it is.

HRISHI: The president is really funny. He's hilarious in the cold open.

[West Wing Episode 2.19 excerpt]

PRESIDENT BARTLET: The guy's been here three months. He's got a nicer office than I do.

LEO: He's got a nicer office than I do.

PRESIDENT BARTLET: That matters less to me.

[end excerpt]

JOSH: [laughs] Yes, it's very funny. The build-up to this recording device that won't turn off and its Nixonian reference is really – it's a very funny payoff when he then smashes the device with his giant gavel.

HRISHI: Yeah, the big hammer.

[West Wing Episode 2.19 excerpt]

BABISH: [smashes recording device with gavel]

[end excerpt]

HRISHI: [laughs]

JOSH: He also says "[pronunciation of] Lewis Brandeis". I think he generally was referred to as "Louis Brandeis". Mainly he's referred to as the first Jewish Supreme Court Justice. By the Jewish people, anyway. You know, it's like, "there's an Indian."

HRISHI: Right.

JOSH: But Jews do that too. "That guy's Jewish!"

HRISHI: Speaking of "there's an Indian". There is an Indian. We get the Indian named Zach back.

JOSH: And he gets a good laugh, too.

HRISHI: He does. And I don't mind that his name's Zach. I'll take an Indian playing a guy named Zach, over a White guy playing someone named Rajeev any day.

JOSH: Absolutely.

HRISHI: Yeah. He's hilarious in C.J.'s office.

[West Wing Episode 2.19 excerpt]

ZACH: You mind if I give you a suggestion that may make this go faster?

C.J.: Sure.

ZACH: If you dunk the suspect in a deep well of water and they drown, it means they're not a witch.

C.J.: Alright, that's it!

ZACH: I saw Lizzie Proctor speaking with the Devil!

C.J.: Shut up.

[end excerpt]

HRISHI: Although, at that point, we kind of already know what the joke is, because Donna has already...

JOSH: Donna's already like:

[West Wing Episode 2.19 excerpt]

C.J.: What are you talking about?

DONNA: I'm a madwoman C.J., and it doesn't stop with the leak.

C.J.: What do you mean?

DONNA: Call the authorities. Send them to my parents' house in Madison.

C.J.: Why?

DONNA: They'll find the Lindbergh baby in the basement.

C.J.: Ok!

DONNA: Also...

[end excerpt]

JOSH: It is funny.

HRISHI: Yeah. They're really ah...

JOSH: Janel's almost too good in her moment.

HRISHI: This is what I said! I wrote down "it turns out Donna Moss is as good of an actor as Janel Moloney".

JOSH: Yeah. Actually I mean, I'm not even kidding, it actually is almost a mistake, [cross-talk] because she's so good.

HRISHI: [cross-talk] Because she's so good. Yeah.

JOSH: I mean she's so believable. She's on the verge of tears, and of course I didn't remember where it was going. I almost felt robbed. I was like "oh wait a second. No way is Donna that good of an actor."

HRISHI: [laughs]. She's very good though.

JOSH: No, she killed it.

HRISHI: So this is the part of the storyline of "The Quote". A quote that has been attributed to someone in the White House. It's not very clearly connected, but it is apparently about this vouchers issue. But this is the thing that I actually forgot while watching, you know. This is one where I thought it was going to be this kind of classic *West Wing* setup where they mention the quote and they're ahead of us and then later on in the episode we'll find out what the quote is. But they make reference to it several times before we know what it is, and then, what actually ends up happening is that they're so far ahead of us that the substance of the quote is absolutely immaterial, and it's not until the 35th minute of the episode that we discover that. Like, the whole time I'm like ok – I kept making a note – "10 minutes in, we still don't know what the quote is", "20 minutes in, we still don't know what the quote is". Part of the reason why it's so far ahead of us is it's just a device to show how Toby is reacting to the knowledge that he's gained in "17 People" and is braced for what's gonna happen when the rest of the staff finds out what the president's condition is, and how much they can keep it together.

[West Wing Episode 2.19 excerpt]

TOBY: This is small potatoes. I wanna know, when the big potatoes come, are we up for it.

C.J.: Big potatoes? Toby, we ran for election. We lived through Leo and booze, Sam and prostitutes, India and Pakistan, Columbia and a failed rescue mission. Are there bigger potatoes someplace?

TOBY: No.

C.J.: Toby?

TOBY: Yeah?

C.J.: Why are you lying to me?

[end excerpt]

JOSH: Yeah, it's absolutely brilliant, I think, because not only is the substance of the quote immaterial, the fact of the leak has no substance. There's like this four-alarm fire going on where, you know, C.J.'s supposed to find out among 1,100 people who's the source of the leak, and it doesn't matter.

HRISHI: Right.

JOSH: It really is this, like it's "this is just a drill", "this is a test of the emergency", ah...

HRISHI: the "emergency please don't broadcast system".

JOSH: There you go, exactly. I thought that was very clever.

HRISHI: Yeah.

JOSH: And it landed in the end when we find out what it's really about.

HRISHI: Right, because there's two things that are being paid off in that moment. One is the quote, and the other is the level of reaction that Toby is having throughout the episode. There's almost like a Josh and "Noel" kind of setup, where Josh is looking at Toby at times, seeing his reaction, and he's kind of distracted by how angry Toby is, in a way that it seems like he's concerned, you know, he stops paying attention when they're in the meeting and they talk about the news cycle and Josh is watching Toby the whole time. So you don't know why Toby is quite so mad about the quote. You think it is just about loyalty or something like that. Or. Yeah. I love how they've woven those two things, so that when that finally comes together you get a double "ah ha".

JOSH: One of the things I was thinking too is I like this whole kind of run of episodes where there is a strong thread going through them all. The whole fact of the President's MS has been something we've known about for a long time, but it's now something that's really gaining momentum and it's unravelling and it's episode-to-episode, and it's the through-line, which is more, I guess, kind of like standard TV. The way those season opening episodes about the shooting, in a way, were kind of like "oh this is kind of what you get on other kinds of TV shows"...

HRISHI: Right.

JOSH: But I like it when *The West Wing* does it, because they've earned it, by being so completely fresh and original and then when it kind of pulls you into kind of a little bit of, not a mystery, but there's suspense involved with this thing that you know is blowing up, and this thing that was 17 people, "oh well now it's 18", "oh Charlie knows", "he heard of course from Zoey", "and Josh is noticing Toby", and this thing is just – there's this feeling of tension and we're seeing the president in a way we haven't seen him, and the whole thing just feels like it's going to explode.

HRISHI: So, you know there's that scene where Toby is yelling about who the leak is, and he's kind of going off on everybody, he's really going off on C.J.

JOSH: Right – walk-and-talk.

HRISHI: Yeah, and she has to just to like bear the brunt of – I mean his anger's really at the anonymous Staffer, but C.J.'s the person who has to deal with it really – and she makes this face when he screams:

[West Wing Episode 2.19 excerpt]

TOBY: Put his ass in my office by the end of the day!

[end excerpt]

HRISHI: And it's sort of like she's drawing on her emergency reserves of patience in that moment, but I had this moment when I was watching, where I imagined that Richard just had really bad breath right then. [laughs] If you watch the scene with that in mind it takes on a different character.

JOSH: Nice. Well I guess we're going to have to share that still then.

HRISHI: Yeah.

JOSH: I'm anxious to look at that.

HRISHI: I'll try making it a gif of her reaction.

JOSH: Her "bad breath" face.

HRISHI: Yeah.

JOSH: Right. Excellent. Something that I generally found interesting: just this conversation that the president is having with White House Counsel. It starts to become personal and Oliver Babish stops him and says:

[West Wing Episode 2.19 excerpt]

OLIVER: You and I don't enjoy Attorney-Client Privilege.

[end excerpt]

JOSH: I guess that's because he doesn't represent the president personally.

HRISHI: Right.

JOSH: He's White House Counsel. But I'm kind of curious how that works and why the president continues to answer questions; why he doesn't go get his own guy.

HRISHI: I think because the president is convinced of his own innocence. At least in his heart, he knows that he hasn't been dishonest or lied to anyone. You know, and I think that he really believes that, so he isn't taking precautions.

JOSH: Well it's an emotional choice.

HRISHI: Yeah.

JOSH: I mean, it could be a very big misstep in the moment, given that things aren't so cut and dried in this situation.

HRISHI: Yeah. You know, this episode is really full of legal subplots.

JOSH: Mm hmm.

HRISHI: Much more so than a typical episode. You've got this A Plot, of the president dealing with this possible MS conspiracy, and that's all, you know, with his lawyer, and then you have Sam and Ainsley discussing:

[West Wing Episode 2.19 excerpt]

SAM: ... spend more money and they said...

AINSLEY: Stop talking right now!

SAM: Eleven million extra [cross-talk] dollars.

AINSLEY: [cross-talk] Sam!

SAM: They laughed me out [cross-talk] of the room.

AINSLEY: [cross-talk] Sam, stop talking or I'm walking out! You know better. Neither you nor your clients abdicated Attorney-Client Privilege when you left Gage. If you gave that deposition you'd be disbarred.

[end excerpt]

JOSH: Yeah, they have the same moment.

HRISHI: Yeah. And then thinking about *A Few Good Men*, I was wondering – maybe you know the answer to this – some of that stuff is so specific and so couched in the actual workings of how the legal system in America works: how did Aaron get to know all that stuff, to be able to write these stories and these storylines so effectively? How'd he do that? He didn't go to law school.

JOSH: I know his sister is a – this is a very well-known story about – *A Few Good Men* started with his sister. Yeah, I'm reading that from a *New York Times* article, saying "Mr. Sorkin got the idea for the play and movie from his sister, a young military lawyer in the 1980s who represented a Marine in a Court Marshall at Guantanamo over a hazing incident".

HRISHI: Hmm.

JOSH: So, he's very good at exploring source material and getting people in the know and picking their brains and then reflecting their knowledge.

HRISHI: Yeah.

JOSH: He had quite a few lawyers on staff at *The West Wing* as well.

HRISHI: Right, of course. Ok, we're gonna take a quick break.

[ad break]

HRISHI: This whole Mexico storyline apparently was Kevin Falls' idea, and it gives us a return to the classic format of the telladonna.

JOSH: Yes, indeed. There's a parry and thrust here. There's an early scene where they're really teeing it up for a classic telladonna about the Mexican bailout, and he just tells her to get out of his office. [Laughs] Which made me laugh, because you know you're getting it eventually. You're definitely going to get it. Josh may kick her out of the office early on in the episode, but we're going to have the telladonna about a Mexican bailout, and eventually we have it in the form of Josh and Donna pretending to have gotten calls.

[West Wing Episode 2.19 excerpt]

DONNA: *You got a phone message*

JOSH: From who?

DONNA: Frank Kelly. He's a textiles worker in South Carolina making \$12 and 17 cents an hour, with no health insurance. He called to thank you for sending his money to Mexico.

...

JOSH: You got a phone call while you were in there.

DONNA: From who?

JOSH: Europe in 1939.

DONNA: Yeah?

JOSH: Yeah. I jotted it down. Apparently they're at war, but we've taken a firm stand as an isolationist nation and refused to get involved. Our resources are our own...

[end excerpt]

JOSH: It's kind of cute the way we get the information in this episode I guess.

HRISHI: Yeah. Donna takes a similar position to one that she's taken in the past, where it's almost like an anti-Big [cross-talk] Government kind of stance.

JOSH: [cross-talk] Right.

JOSH: "Why should my money go to this" [cross-talk] kind of thing.

HRISHI: [cross-talk] Yes.

HRISHI: Yeah. [laughs] And as she presents it, Josh says, in the show:

[West Wing Episode 2.19 excerpt]

JOSH: Ok, it's gonna be one of these now, right?

[end excerpt]

HRISHI: I like it when characters do the meta-commentary for us. [laughs]

JOSH: [laughs] Right, right. Yeah, yeah. You're exactly right. Yeah, no, I was thinking exactly the same thing too today. That Donna is a bit more conservative in certain areas than those around her, or that's the impression I get.

HRISHI: Yeah, or at least she's given that role sometimes.

JOSH: Fiscally conservative, perhaps?

HRISHI: Yeah, exactly. You know, I mean one part of it too is that, like, she is not rich. She didn't earn a lawyer's salary before coming to work in the White House, so the idea of what happens to her taxpayer dollars has, you know, a different impact on her, and therefore maybe has, like, different concerns for her than it does for Josh Lyman and his fancy Connecticut roots.

JOSH: Right.

HRISHI: Ok, so let's talk about the oil tanker and Sam. That is...

JOSH: The Indio, yes.

HRISHI: I think this is an example of me having watched this episode enough that I guess something has just internalized, because I actually wrote on my piece of paper when the oil tanker first comes up, I wrote: "Call-back to Sam's law firm "In the Shadow of Two Gunmen", chickens coming home to roost". And then, later in the episode, Ainsley says:

[West Wing Episode 2.19 excerpt]

AINSLEY: Talk about your chickens coming home to roost.

[end excerpt]

JOSH: The term she coins.

HRISHI: This is how deeply I have internalized the show that, again, all – anything that I consider an original thought, turns out is stolen from the show.

JOSH: I was thinking, you know, we know enough about Aaron's writing style to know that he didn't have this in mind when he was writing about the Indio the first time around, but it really pays off here in a way. He's able to go back and realize what little – he throws so many things into the mix that he can pick things up later as if he had laid them out, planning to pay them off later.

HRISHI: Yeah. And there are a couple of instances here of characters getting to show off about how smart they are.

[West Wing Episode 2.19 excerpt]

AINSLEY: Hey, you never know – with the liability shield – maybe you're not as good as you think.

SAM: Yeah, I am.

[end excerpt]

HRISHI: And Sam gets to have a similar kind of exchange with Charlie:

[West Wing Episode 2.19 excerpt]

SAM: Charlie, just how smart are you?

CHARLIE: I've got some game.

[end excerpt]

JOSH: [laughs]

HRISHI: Which I love. I love the moments when Charlie either deflates other people's egos or just, like, lets it slip a little bit, you know, when he gets to puff himself up a little bit. It happens so rarely that I really, really love it.

JOSH: Yeah. I also love that this is just "*The West Wing* takes place in this nerd world where intellect is the ultimate sexy thing." [laughs] When someone's talking about "yeah, I've got game" and they're talking about how smart they are.

HRISHI: [laughs] They're talking about their AP test scores.

JOSH: [laughs] Right. Exactly.

HRISHI: But that was also incredibly cleverly done, too, because you have this deepening of Charlie's story. Not his back story, but his current life outside of the White House. That he is, in addition to being the President's body man – as if that's not enough work – he's also gonna try and take classes and better himself that way, which I think is really, like, great characterological insight into him. But, then, it also manages to lead into this

revelation about how the first family did not pull off this conspiracy perfectly. They screwed up. And this amazing reveal of, like, his dynamic with Zoey. [cross-talk]

JOSH: [cross-talk] Mm hmm.

HRISHI: And the fact that it isn't 17 people. It's 18 people.

JOSH: Yeah, and if it's 18 people, it's probably 19. It started to make me think just that, who knows who else – who's told whom. Maybe Ellie's told someone. She's a doctor, she's got friends. You know, it's just hard to keep a cap on anything. [cross-talk] Also, I particularly loved Dulé's acting in this episode [cross-talk], because once he's pulled into it – just from the moment that he looks at that paperwork and has this sort of revelatory moment and then invokes his version of "Where's Grampy" [cross-talk] or "How's Grampy":

HRISHI: [cross-talk] Right.

HRISHI: [cross-talk] Yeah.

HRISHI: [cross-talk] Yeah.

[West Wing Episode 2.19 excerpt]

CHARLIE: I'm sorry, I need to speak to him right now, please. Tell him it's an old friend from home.

[end excerpt]

JOSH: There's a look of dread on Charlie's face. He almost looks sick to his stomach.

HRISHI: Yeah.

JOSH: And we'll come to realize – I mean, he's sick with concern, he knows he's going to have to give up Zoe – there's just a lot of things going on in this. It plays simply and strikingly on Dulé's visage. I mean it's just seeped in. He does not want to have to go where he's going to have to go. And then I think he and Martin have a great scene outside on the bench.

HRISHI: Right. And when he goes into Leo's office, it's almost as if Charlie thinks that he's the one who's done something wrong. Like, he's wracked with guilt, even though he's presenting them this really crucial information.

JOSH: But that calculus, we find out, involves having to let the president know that Zoey [cross-talk] had shared this confidential piece of information with him.

HRISHI: [cross-talk] Right.

HRISHI: Yeah. I mean, the other thing too is that, just like we noted in the episode previously where Josh asks Charlie what's going on with the president and the First Lady, and Charlie just gives him a look, we know the kind of access that he has, the kind of things that he's privy to that he never lets slip. Ok, so Zoey told him that the president has MS, but certainly they aren't going to Charlie and saying "hey, the president's going to go speak with Babish to talk about the ramifications of MS". And I think it's wonderfully set up by this notion of "Charlie's got game." He's really smart. He's able to figure out and deduce that all of these meetings that are happening – this thing with Toby, the thing with Babish – that these dominoes are starting to fall, and so now is the time that he has to speak up, because these storm clouds are gathering, and he recognizes that, even without being explicitly told.

JOSH: There's a bad moon rising.

HRISHI: [laughs]

JOSH: And multiple characters are noticing it.

HRISHI: Yeah. But I was really – I was impressed with both Dulé and Charlie.

JOSH: Yes. I noticed at some point – I didn't even mark down where – since we like to get hung up on language, somebody uses the phrase "all right", and the closed-captioning person writes it as "A-L-R-I-G-H-T". And so I did a little research, because this is something I bump on often [cross-talk]. "Alright" isn't a word.

HRISHI: [cross-talk] Hmm.

HRISHI: Really?

JOSH: Yes. I think I made the mistake myself, and probably used it a thousand times on Twitter, but I believe the common position is that it just isn't a word, and "all right" should be spelled as "A-L-L", new word "R-I-G-H-T". So I'm calling out the closed-captioning person on *The West Wing* at NBC for writing it as one word.

HRISHI: Mm hmm. Speaking of – whatever it is you wanna call that...

JOSH: That'll get us to this next thing? Yeah?

HRISHI: Someone was mentioning that, in the scripts – and maybe you can confirm this – that in the scripts for *The West Wing*, "ok", which is employed often – in this episode "ok" is said 23 times – and in the scripts it's written out as "O-K-A-Y". On our t-shirt, "The Signal", and on our new upcoming shirt...

JOSH: Oh, segue!

HRISHI: The "Ampersands" shirt, we write it as just the letters "O-K". And someone said, you know, "if *The West Wing* uses "O-K-A-Y", why don't we?" And I would just like to point out that "O-K-A-Y" comes after the use of "ok" as just the letters "O-K". It's a phonetisation...

JOSH: Oh! Chronologically, it came into use after?

HRISHI: Yeah. And so, we are "ok" originalists, even if Aaron and his scripts wrote "O-K-A-Y".

JOSH: Ok. So you're really calling Aaron out. I'm not going to let you do that on your own.

HRISHI: [laughs] I don't think Aaron has a problem with it, but people who have a problem with us using just the letters "ok" because of the precedent that Aaron has set, I'm saying "we're using a previous precedent".

JOSH: Ok. Or we could just say "it looks better on our shirt". [laughs]

HRISHI: That too. It also looks better on our shirt. [laughs]

JOSH: Now go buy it!

HRISHI: They say "ok" 23 times in this episode. Leo a few times says it twice. And I hope that everybody who's listening – who's watching the show at home and listening to the podcast – that whenever they say "ok" and someone responds "ok", at least mentally, somebody says "what's next".

JOSH: [laughs]. I gotta believe they are. I know I do.

HRISHI: I can't help it. At one point Babish says – about Toby:

[West Wing Episode 2.19 excerpt]

OLIVER: *Who's the last one?*

PRESIDENT BARTLET: I'm sorry?

OLIVER: You said 16 people. Who's the last one?

LEO: Toby Ziegler.

OLIVER: You told him?

PRESIDENT BARTLET: Yeah.

OLIVER: When?

LEO: This past Friday night.

OLIVER: How's he taking it?

LEO: Not well.

OLIVER: I wouldn't think so.

[end excerpt]

HRISHI: And I was wondering about that response – the "I wouldn't think so". Did he mean that because he knows Toby and this is something that he's responding to in terms of, like, "oh well I know Toby Ziegler. I wouldn't think that *he* would take it well", or is it just, "the information itself, no matter who you were to tell this to, no one would take this well"?

JOSH: I took it as "I know Toby, and I would expect his reaction to be bad".

HRISHI: I think that's what I think too. I just wasn't sure.

JOSH: Yeah, that said, it is bad, on the face of it. I mean I've always you know – forgetting that it started to blow up in this way at the end of Season 2 – when it was first introduced, I was thinking, you know, that those in the know seem to be glossing over the level of bad that this kind of subterfuge is. And we get actually a little insight into why Leo seems to deal with it with such composure and seems to minimize it, and I think that's personally because the president has been so good to him and his addiction and I think he feels that, in return, I think, he minimizes what the president has done, by keeping this information confidential.

HRISHI: Yeah. Which is, shaky.

JOSH: Yes. [laughs]

HRISHI: The president has that line – going back to what you were saying about how he reacts in this kind of like, sort of, immature, headstrong way – he says:

[West Wing Episode 2.19 excerpt]

PRESIDENT BARTLET: Well the Mexican economy crashed, an oil tanker busted up about 120 miles from here and 13% of Americans are living in poverty, so yeah, I can hang out with you and answer insulting questions for a while.

[end excerpt]

HRISHI: Whether or not he thinks that, he's certainly giving insulting answers. Like, he's being a real prick.

JOSH: Yeah. Although there's an interesting – there's a way...I feel like Bartlet likes to kind of test people. Kind of see whether they can take it, when he gives them [expletive deleted] or when he fights back. And then, you know, if they can, then, you know, he becomes the guy at the end in the Oval with Babish, who really wants him, like you know [cross-talk].

HRISHI: [cross-talk] Yeah, "I want you".

JOSH: [cross-talk] "I want you to be my guy".

HRISHI: Yeah.

JOSH: And, you know, "tell me what think," you know. So I think there's kind of a little poking test that the president gives him.

HRISHI: Yeah, that's true. [laughs] When Donna and Josh are talking and she says:

[West Wing Episode 2.19 excerpt]

DONNA: I'm not xenophobic, I just think it's time for some tough love.

JOSH: Well, not right here in front of everybody, Donna, but if you wanna run home and get your equipment...

DONNA: Go away from me.

[end excerpt]

JOSH: I wrote that.

HRISHI: "Sexual harassment."

JOSH: Yeah.

HRISHI: Yeah, exactly! Yeah. Josh has shown me his notes and he wrote "sexual harassment" on his notepad. Um.

JOSH: In capital letters. Yeah. Like, that's bad. That's like "somebody get the paperwork, this is not right in a workplace."

HRISHI: Lindsey, my wife – I was watching the episode with her and – she said "how is that appropriate?" and my [cross-talk] response to her was "you should try listening to our podcast sometime." [laughs]

JOSH: [cross-talk] [laughs] Bless her.

HRISHI: Maybe she will someday. Working on it.

JOSH: Alright.

HRISHI: But, yeah, that was – I mean, like – what was the – the shocker before was the one about the...

JOSH: The school [cross-talk] girl outfit.

HRISHI: [cross-talk] The school girl outfit. Yeah. But now we're like "come on!"

JOSH: Yeah.

HRISHI: And there's another – I actually really like the way this works with Ainsley and Sam – they have a similar kind of like eye-rolling exchange when he comes down to the Steam Pipe Trunk Distribution Venue:

[West Wing Episode 2.19 excerpt]

SAM: You did some decorating.

AINSLEY: Yeah.

SAM: A woman's touch.

AINSLEY: It was a guy named Kirk.

[end excerpt]

HRISHI: But before you can even feel like kind of any satisfaction of Sam's little inherent sexist remark getting turned around on him he immediately goes into:

[West Wing Episode 2.19 excerpt]

SAM: Hang on, I know this piece of music. I love it.

AINSLEY: Isn't it great?

SAM: No, but there's a reason I like it.

AINSLEY: Well, it's beautiful.

SAM: But there's another reason. Hang on...

AINSLEY: It's call "Air on a G String". Could that be?

SAM: Yes.

[end excerpt]

JOSH: [laughs] Yeah that's it.

HRISHI: And it's like the moves happen almost a little bit too fast, where he says something, he says something bad, and she undercuts him, and then he manages to like one-up it.

JOSH: Yeah, immediately.

HRISHI: Another one of these moments where this episode allows us to go back and talk about some other stuff – when Donna does her incredible performance with C.J. about being the leak – she talks to Josh afterwards and she says:

[West Wing Episode 2.19 excerpt]

DONNA: She didn't let me get to Whittaker Chambers and the Secret Pumpkin.

[end excerpt]

JOSH: Oh that's a huge call back!

HRISHI: Yeah.

JOSH: To the Pilot?

HRISHI: The Pilot, as well as, you know...[cross-talk]

JOSH: [cross-talk] Are you proud of me? I noticed that!

HRISHI: That's great, yeah! Well [cross-talk]

JOSH: [cross-talk] Is that shocking?

HRISHI: People have been tweeting at us about it, so I wasn't sure if...

JOSH: [cross-talk] Oh, well that's probably why I thought of it then.

HRISHI: [laughs] You know, we recently did "Somebody's Going to Emergency, Somebody's Going to Jail", and [cross-talk] we talked about...

JOSH: [cross-talk] I remember that!

HRISHI / JOSH: [laughs]

JOSH: And I don't think anyone tweeted to us about that. I remembered that on my own.

HRISHI: We talked in that episode with Rob Lowe about Daniel Galt being kind of a fictional version of Alger Hiss. What we didn't mention though, when we talked about that, that in the Pilot of the show – in the very first scene with Sam and the reporter in the bar, Billy – Sam's noticing Laurie for the first time and Billy's like "why do you keep looking over my shoulder?" and Sam says:

[West Wing Episode 2.19 excerpt]

SAM: Why?

BILLY: Yes.

SAM: 'Cause Alger Hiss just walked in with my Secret Pumpkin.

BILLY: What?

SAM: There's a woman over there.

[end excerpt]

HRISHI: And Donna here references the Secret Pumpkin again.

JOSH: Boom.

HRISHI: The Secret Pumpkin being a hollowed out pumpkin that was used by Whittaker Chambers, who was a former Soviet spy who gave testimony that led to Alger Hiss' conviction for perjury. He had hidden microfilm in this hollowed out pumpkin. That's the Secret Pumpkin. Is that a story that you knew?

JOSH: Ah, yes I think somewhere in the depths of my mind I do feel like I read a book about it a long time ago. So, I mean, I remember the reference. I remember that mention in the Pilot.

HRISHI: Yeah. Well between the Pilot and this line here and Daniel Galt, that's three Alger Hiss references so far in two seasons.

JOSH: Are there, will there be more?

HRISHI: I don't think so. Well, I have no idea.

JOSH: Liar! And what's that first line of the Pilot? What's the drink order?

[West Wing Episode 1.01 excerpt]

BARTENDER: Two Absolut Martinis up, another Dewars rocks.

[end excerpt]

JOSH: That's clearly what you should imbibing every time someone says "Ok" in The West Wing Drinking Game. If you want to play The West Wing Drinking Game to the death.

HRISHI: [laughs] Yeah, exactly. You should have had...

JOSH: A gallon of Dewars and a quart of Absolut Vodka.

HRISHI: Exactly, by the time this episode is done. I have been kind of avoiding moments of Trump-ai-yi-yi.

JOSH: Oh. Well I was wondering whether to go there too. There's plenty in this episode.

HRISHI: Yeah. We've kind of intentionally tried to lay off of some of that just because I feel like I'm so inundated with that feeling in the news so much that there's no need to point it out. But there were two of them that were just too big to just let slide, that I thought needed pointing out.

JOSH: Bring 'em.

HRISHI: The biggest one for me was when they're talking about the Mexico bailout, Josh says in his eventual and kind of condescending way, by using an 8th Grade Social Studies book to talk to Donna about this, he says:

[West Wing Episode 2.19 excerpt]

JOSH: There are too many things in the world we can't do. Mexico's on fire. Why help them? Because we can.

[end excerpt]

HRISHI: And I thought "Trump-ai-yi-yi"

JOSH: Ai-yi-yi.

HRISHI: Not just Mexico in particular, but certainly like...

JOSH: Just the non-isolationist views of...

HRISHI: Exactly.

JOSH: The idea of engaging with the world in any kind of mutually, perhaps, beneficial way.

HRISHI: Yeah. And then the other big one – in the Sean Spicer of it all – is when the president has that great scene with Charlie:

[West Wing Episode 2:19 excerpt]

PRESIDENT BARTLET: I'm confident in your loyalty to me. I'm confident in your love for me. If you lie to protect me, if you lie just once, if you lie just a little, if you lie 'cos you stand what's happening to me and the people making it happen, if you ever, ever lie, you're finished with me. You understand?

[end excerpt]

HRISHI: Where his allegiance to the president is superseded by the president's insistence that he be honest at all times, even if it means incriminating the president. Or doing something...

JOSH: Isn't that refreshing?

HRISHI: Yeah.

JOSH: I believe Sean Spicer has been given other marching orders.

HRISHI: I think that might be true.

JOSH: And also actually, just the generally, you know, I think the Trump administration a few weeks in is already dealing with leaks aplenty, and from what I read, he's going nuts behind the scenes trying to track down who the leakers are, because there are a lot of reports coming out of things not going so well.

HRISHI: That's right. I would love to give a shout out to a really interesting Twitter feed that I think West Wing Weekly listeners would appreciate. @RoguePOTUSStaff is, supposedly, Republicans who work for Trump who are leaking information from within The White House, and it is fascinating. Whether or not it's fact or fiction, it's a great thing to be subscribed to.

JOSH: I just followed now.

HRISHI: Nice. I have one other thought. That, in this episode, in his process of questioning, Oliver Babish is really making explicit the minefield that we're in. He's mapping out the minefield for the president by pointing out all these things that, at first seem like innocuous, you know "have you ever had to like fill out a form like this" or "have you ever been involved in a conversation like this." Babish is doing this thing where he's asking these questions that show how dangerous and how entirely possible it would be for the president to have committed perjury in some way through some totally innocuous action. I thought that was interesting, because we have before really only been talking about it in terms of – you know, like in "17 People" it's only really been talked about in these big ways of like "lying to the American people" – the things that you do from the Bully Pulpit. Or...

JOSH: Right.

HRISHI: Whatever with the authority of the Presidency. But Babish is showing you all these tiny little miniscule ways in which he might have messed up.

JOSH: Mm hmm, yeah. Good point.

HRISHI: Cool. That's it for this episode. Thank you so much for listening. Once again, if you want to discuss this episode with us, you can leave a comment for us on our Facebook page, which is facebook.com/thewestwingweekly or on our website, TheWestWingWeekly.com

JOSH: You can follow us on Twitter. Hrishi's @HrishiHirway. I'm @JoshMalina. The show is @WestWingWeekly. You can buy the official lapel pin of The West Wing Weekly at WestWingWeekly.com/merch

HRISHI: Or TheWestWingWeekly.com/merch

JOSH: Sure. The West Wing Weekly is a proud member of Radiotopia.

HRISHI: From PRX. It's a curated network of extraordinary, cutting-edge podcasts.

JOSH: You can also catch Hrishi's other award-winning podcast, Song Exploder, and you can see me on *Scandal*, Thursday nights at 9/8 Central on ABC.

HRISHI: The scandals on *Scandal* are much more scandalous than hiding MS from the public.

JOSH: True. Our show is produced by Hrish, with a little help from me, and a lot of help from Zach McNeas and Margaret Miller.

HRISHI: Ok.

JOSH: Ok.

HRISHI: What's next?

[Outro Music]