

Spring 2002

Law Meets Food: Breakfast at Hilary's

Fedwa Malti-Douglas

Indiana University--Bloomington

Follow this and additional works at: <http://www.repository.law.indiana.edu/ilj>



Part of the [Food and Drug Law Commons](#)

Recommended Citation

Malti-Douglas, Fedwa (2002) "Law Meets Food: Breakfast at Hilary's," *Indiana Law Journal*: Vol. 77: Iss. 2, Article 6.
Available at: <http://www.repository.law.indiana.edu/ilj/vol77/iss2/6>

This Symposium is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in *Indiana Law Journal* by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.



JEROME HALL LAW LIBRARY

INDIANA UNIVERSITY
Maurer School of Law
Bloomington

Law Meets Food: Breakfast at Hillary's

FEDWA MALTI-DOUGLAS*

If any one individual has become a veritable industry in the past decade in America, it is surely Hillary Rodham Clinton. Books, tabloids, Web pages, jokes, bumper stickers, games, soap bars, hot sauce bottles—they tell only part of the story. From Whitewater to Travelgate, from Gennifer Flowers to Monica Lewinsky, Hillary Rodham Clinton has been—and continues to be—in the firing line. But rather than moving in the areas of these more sordid gates, including Zippergate AKA Monicagate (or even Fornigate as Arianna Huffington would have it¹), let us instead venture forth into what I should like to call Foodgate. Foodgate functions as a nexus that brings together law, food, and politics.

The daily special. Or as they say in France, "*le chef vous propose.*" Grapefruit. Scrambled eggs. Home fries. Bacon. Huevos divorciados. Cookies. And, oh, let us not forget the marmalade. And come to think of it, should we not include some tea here as well?

No. I am afraid I am not really offering this menu so that we can choose an item to order. Rather, I am offering it merely as a set of intellectual hors d'oeuvres to whet our collective appetite for the analytical feast in which I hope the reader will join me as we set out to have breakfast at Hillary's. This breakfast is a fantasy meal in which we will indulge ourselves at the invitation of various commentators and pundits.

Foodgate functions as a trap to catch the career woman First Lady. She herself stumbled into it with a remark during the 1992 campaign about not staying home to bake cookies and have teas, instead pursuing her career, the law.² As this comment became telegraphed, to use Kathleen Hall Jamieson's terminology, into a cookies-and-tea reference,³ it showed deep-seated anxieties about food, bringing in its wake not only a world of words but one of images as well, as even cartoonists jumped into the fray. Jeff Danziger in *The Christian Science Monitor* captures in a drawing what is not so easily captured in words.⁴ On the opposite page from the cartoon in *A Cartoon History*, we get a little speech: "Mrs. Clinton's remarks, made in response to questions about her law practice, were seen as a slap at homemakers."⁵ The cartoon itself is entitled: "Great Moments in American Law: Hillary Clinton's First Batch of Cookies."⁶ The illustration shows a young Hillary in a kitchen with a recipe book on the counter and the debris from her attempt to make cookies, with things spilling

* Professor of Gender Studies and Comparative Literature, Martha C. Kraft Professor of Humanities in the College of Arts and Sciences, Adjunct Professor of Law, Indiana University—Bloomington. This Article forms part of a larger study of Foodgate, which itself forms part of a book currently in progress: *American Fantasies: How We Imagine Law, Sex, and Politics* (unpublished manuscript on file with the author).

1. ARIANNA HUFFINGTON, GREETINGS FROM THE LINCOLN BEDROOM 99 (1998).

2. KATHLEEN HALL JAMIESON, BEYOND THE DOUBLE BIND: WOMEN AND LEADERSHIP 31 (1995).

3. *Id.* at 31-32.

4. CAMPAIGN: A CARTOON HISTORY OF BILL CLINTON'S RACE FOR THE WHITE HOUSE 42-43 (Mary Ann Barton & Paul C. Barton eds., 1993).

5. *Id.* at 42.

6. *Id.* at 43.

everywhere.⁷ She faces an older man (her father?) holding a plate on which are four sorry lumps of what we assume are her cookies, one of which is dribbling off the plate.⁸ The man, sitting at a table, holds in his hands what looks like a periodical.⁹ The back of it reads: "Hey Gals! Impress your Man! Sharp Cookie School of Law 'Nunc Pro Tunc."¹⁰ A happy woman, who looks like a blond, is smiling as she points at the advertisement.¹¹ The "Nunc Pro Tunc" is meant to enhance the legal language in the cartoon, a legal phrase that literally means "now for then." The blond has the only happy face in the cartoon.¹² What is clear is that Hillary's attempt at baking cookies is nothing short of a disaster. And the Sharp Cookie is both an allusion to someone smart and to the cookie itself. One moral: if you can't stand the heat, go to law school. Another: if you can't impress your man with your domestic skills, try legal ones.

Hillary Clinton sought to turn the culinary tables on her critics, to manipulate food as a symbol of domesticity. But her critics would not let her get away with this, turning the rituals of nutrition against her. In the process, Hillary and her enemies developed (or merely exposed) the political language of food in America today.

Walter Shapiro, in a 1993 *Esquire* article writes: "'I'm a Rorschach test,' Hillary told me during a recent interview in the White House library. She's right."¹³ Of course, Shapiro is far from alone here. Kathleen Hall Jamieson in *Beyond the Double Bind* entitles her chapter on Hillary Rodham Clinton "Hillary Clinton as Rorschach Test,"¹⁴ and quotes Betty Friedan in her opening paragraph: "Coverage of Hillary Clinton is a massive Rorschach test of the evolution of women in our society."¹⁵ This assignation gets picked up by other authors and pundits as well.¹⁶ For Robin Lakoff, "[w]e psychoanalyze Rodham Clinton in order to try to see how she works, because that might be a clue to how we all will shortly work, or perhaps are already working."¹⁷ While I admire Lakoff's inherent optimism, I would step away from it momentarily to argue that a Rorschach test tells not so much about the object being viewed, in this case Hillary Rodham Clinton, as it tells about the viewer, in this case the American pundits and commentators, as well, of course, as the American public.

I would rather have us perform a different exercise that does not involve looking at ink blotches but rather that involves looking at commentators and pundits who are themselves looking at Hillary Rodham Clinton. We can use critical vocabulary and call our analytical journey metacritical or we can be slightly more lighthearted and see

7. *Id.*

8. *Id.*

9. *Id.*

10. *Id.*

11. *Id.*

12. *Id.*

13. Walter Shapiro, *Whose Hillary Is She, Anyway?*, *ESQUIRE*, Aug. 1993, at 84, 84, reprinted in *SPEAKING OF HILLARY: A READER'S GUIDE TO THE MOST CONTROVERSIAL WOMAN IN AMERICA*, 21, 22 (Susan K. Flinn ed., 2000) [hereinafter *SPEAKING OF HILLARY*].

14. JAMIESON, *supra* note 2, at 22-52.

15. *Id.* at 22.

16. See, e.g., ROBIN TOLMACH LAKOFF, *THE LANGUAGE WAR* 186 (2000); cf. Henry Louis Gates, Jr., *Hating Hillary*, in *SPEAKING OF HILLARY*, *supra* note 13, at 163, 167.

17. LAKOFF, *supra* note 16, at 186.

ourselves as twice-removed voyeurs of sorts.

It would seem that food is essential in defining the former First Lady and now Senator Clinton. But all of Foodgate would be so much food that it might risk giving the reader indigestion. How fortunate for us that the the comment about cookies-and-tea took place at breakfast time.¹⁸ We can effortlessly then move to breakfast, both the real meal and the fantasy one. Cut to Martha's Vineyard. Here, Hillary tells Lucinda Franks of *Talk* magazine that she "and Bill were enjoying the rare privacy, the pleasures of bare feet and long empty beaches, and stacks of books next to their twin lounge chairs overlooking dunes covered with rose hip bushes."¹⁹ What a lovely romantic setting! But let us not stop: "'I was cutting Bill's grapefruit this morning,' she told me, 'and we had the best idea we ever had about day care, and all of a sudden there's this flapping at the window and it's a seagull—a seagull at our window.'"²⁰

Striking in this breakfast setting is the emphasis on the first-person plural. True, Hillary does the cutting of the grapefruit but the ideas generated belong to the couple, as does the window—"our window"—at which the seagull appears. Note the repetition of the seagull. It would appear to be a complete and unexpected surprise that merits emphasis. Jeanne Martinet in her retelling of "love comics" (where she retains the images but changes the verbal balloons and the captions and other textual asides) has an introduction, "If It's Raining—It Must Be Love," in which she addresses the search for "True Love."²¹

It's obvious to me now that romance comics infused my young brain with many strange notions about dating and love. For instance, I have always felt that men should drive swanky convertibles and that several long kisses should lead directly to a heartfelt declaration of love. And *of course* I associate birds with romance. Who doesn't? The mere sight of a flock of birds—especially sea gulls—makes my heart yearn for something in a thump-thump kind of way. I don't know why, but in these comics there are birds *everywhere*—flying around the couple's heads, following their car, perched on the windowsill outside the office where the heroine is taking dictation from her handsome boss.²²

Martinet's collection of comics dates from the late 1940s through the 1970s.²³ Hillary Clinton, consciously or unconsciously, is tapping into this romance framework in which the seagull is clearly a crucial part of the background of a romance. Hillary's romance is updated as she is no longer a heroine "taking dictation from her handsome boss" but a professional woman equal to her partner in this setting in which the "we" dominates.

What is on the menu in this idyllic environment, other than grapefruit, that is? Why, day care. Romance is intimately tied to politics, in the same way that domesticity had

18. See FEDWA MALTI-DOUGLAS, *AMERICAN FANTASIES: HOW WE IMAGINE LAW, SEX, AND POLITICS* (unpublished manuscript on file with author).

19. Lucinda Franks, *The Intimate Hillary*, *TALK*, Sept. 1999, at 173.

20. *Id.*

21. JEANNE MARTINET, *TRUER THAN TRUE ROMANCE: CLASSIC LOVE COMICS RETOLD 6-7* (2001).

22. *Id.* at 6 (emphasis in original).

23. *See id.* at 7.

been years earlier. That is, if one reads this anecdote as intended. Some might wish to see Hillary cutting her husband's fruit as an aggressive, if not castrating, image. While such unconscious resentment would not be implausible, it runs counter to the way the incident is presented by both Hillary herself and her critics.

Hillary's politico-romantic moment, if I may call it that, gives plenty of fodder to the conservatives. Peggy Noonan in *The Case Against Hillary Clinton* discusses President Clinton's granting clemency to "two terrorist groups wanting independence for Puerto Rico" and the timing of his decision (August 11, 1999).²⁴ Noonan goes on to say that "Hillary Clinton also claimed she had 'no prior knowledge' of the decision."²⁵

The Clintons' claim that they never discussed the issue strains credulity in other ways. It is at odds with Mrs. Clinton's repeated assertions over the years that there is nothing they do not discuss. Three months after the clemency decision she was quoted in a long interview in *George* magazine saying, "We talk about everything, and have for as long as we've known each other . . . particularly on issues where we share a common commitment." She said the same in her famous *Talk* magazine interview in September 1999, when she described breakfasting with her husband and discussing education reform as she cut his grapefruit.²⁶

Note how the politico-romantic setting from *Talk* magazine has been turned upside down by Peggy Noonan. In Hillary's account, the cutting of the grapefruit takes primacy, an act that speaks of devotion and affection. It is following this that the ideas emerge along with the seagull. And the ideas themselves are airbrushed, if I may use such an expression here, as the couple "had the best idea we ever had about day care."²⁷ Notice that this idea is the work of the first-person plural, "we," that is of the couple. Noonan's description, on the other hand, is much more clinical, as the First Lady "described breakfasting with her husband and discussing education reform as she cut his grapefruit."²⁸ There is no "we" here, there is no romantic environment. Day care has been transmuted into "education reform." Both are policy issues in which a woman could have a say, since they are connected with child rearing, though day care is trickier with its connection to working women. Gone also is that seagull, who in Hillary's account appears at the window, almost like a modern-day Holy Spirit descending on the First Couple and blessing them—and as a marker of the romance.

John Podhoretz has a different take on the incident.²⁹ For him, Lucinda Franks' article "reveals that the seemingly severe Hillary Rodham actually has a touch of the bimbo about her."³⁰ He follows this up with the breakfast story, ending as it does with the by-now famous seagull: "Wow, man. A seagull. Cool. Evidently, the 'best idea we ever had about day care' was forgotten once the grapefruit was devoured because

24. PEGGY NOONAN, *THE CASE AGAINST HILLARY CLINTON* 18-26 (2000).

25. *Id.* at 21.

26. *Id.* at 22.

27. Franks, *supra* note 19, at 173.

28. NOONAN, *supra* note 24, at 22.

29. John Podhoretz, *The Myth of Hillary's Brilliance*, N.Y. POST, Aug. 5, 1999, at 31, available at 1999 WL 22880738.

30. *Id.*

we've never heard tell of it since."³¹ Podhoretz's reaction to the seagull is, one assumes, what instigates him to endow Hillary with that "touch of the bimbo."³² She then becomes but one part of the great bimbo eruptions with which Clinton's White House became associated. Note the confusion of the "we" here: the "we" of Bill and Hillary in Hillary's voice and the "we" of the narrator and his audience, the American public.

Someone's bimbo is someone else's android. Here is Matthew North in *Flak Magazine*:

To Hillary, it seems, these three things—a moment of quotidian life, a revolutionary idea about a national problem and a bird at the window—are of equal everyday-ness, as it were. New public policy ideas are just as much a part of a vacation-day breakfast as grapefruit and seagulls. The point of this anecdote within the profile was apparently to illustrate that Hillary was very relaxed at that moment, but the middle clause about day care makes it clear that she has no such gear, so to speak, but only the one: drive.³³

North, like Noonan, deletes the couple as a unit and centers instead on Hillary. Gone as well is the wonder expressed in Hillary's words as she describes the scene: "[A]nd all of a sudden there's this flapping at the window and it's a seagull—a seagull at our window."³⁴ Fascinating in these attacks on Hillary Rodham Clinton is the de-emphasis on the romantic element, when not on the heterosexual couple. North eliminates the act of Hillary cutting Bill's grapefruit, and for him all the actions in that brief breakfast interlude are of equal measure.³⁵ By removing the original "we" and "our" in *Talk* magazine from his description, North is able to turn Hillary into the prime mover, denuding her of an ability to be "relaxed" and giving her only one "gear," "drive." A gear? Hillary, to return to the beginning of North's article, has become perhaps not so much an android as a car!

Bill and Hillary Clinton lived—and continue to live—in the world of real politics. And it is at the intersection of that world with Foodgate where fantasies arise.

Early on the morning of January 21, 1998, President Clinton awakened Hillary to tell her that the *Washington Post*³⁶ had broken the Lewinsky story.³⁷ This conjugal event produced reams of dramatic visualization, most of it initially nongustatory.³⁸ Onto this crowded theater, enter George Will, stage right—carrying a fantasy breakfast tray in his arms. In an editorial in late January 1998, after that early morning

31. *Id.*

32. *Id.*

33. Matthew North, *Opinion: Hillary Clinton*, FLAK MAG., Aug. 12, 1999, <http://www.flakmag.com/opinion/hillary.html>.

34. Franks, *supra* note 19, at 173.

35. North, *supra* note 33.

36. Susan Schmidt et al., *Clinton Accused of Urging Aide to Lie: Starr Probes Whether President Told Woman to Deny Alleged Affair to Jones's Lawyers*, WASH. POST, Jan. 21, 1998, at A1.

37. David Maraniss, *Clinton & Clinton: First Lady's Energy, Determination Binds Power Partnership*, WASH. POST, Feb. 1, 1998, at A1.

38. See MALTI-DOUGLAS, *supra* note 18, at ch. 7.

encounter between Bill and Hillary, George Will responds to Hillary Clinton's "table-pounding about the vast conspiracy" and "when she said . . . 'I'm interested in what the facts are, and we know very few facts right now.'"³⁹

"We?" The man across from her at the breakfast table surely has lots of pertinent facts right now. So Hillary Clinton might begin to slake her thirst for facts by saying:

"Pass the marmalade, and by the way, is *The New York Times* right that Monica Lewinsky met alone with you last month, two weeks after being subpoenaed by Paula Jones' lawyers and a week before Lewinsky filed her affidavit saying she had not had sexual relations with you? Help yourself to the bacon, dear, and what did you and 'that woman' talk about, other than saving Social Security?"⁴⁰

Following this breakfast interlude, George Will continues with more observations on and questions about the Lewinsky debacle.⁴¹ "More breakfast table talk for his wife," suggests Will.⁴²

This fantasy breakfast between the First Couple is fascinating. George Will begins the imagined meal by questioning the First Lady's word "We?" The President loses his political identity in this invited scenario. He becomes "the man across from her at the breakfast table." Now that we have the two parties facing one another, Hillary Clinton is turned into the active party who questions this man. She is "to slake her thirst for fact," a gustatory metaphor. The rest of the meal is put into her mouth, so to speak. She is the only one who will speak. And what is she made to say? "Pass the marmalade," orders the First Lady. There is no "please" here; politeness is sacrificed at the altar of Foodgate. Then comes the questioning of "the man across from her." And this questioning all relates to Monicagate, with time-specific references, including Lewinsky's filing of the affidavit "saying she had not had sexual relations with you?" Note the use of the second person here, the "you" of that still-nameless man across the table. The affidavit is followed by Hillary's next statement, at once inviting her breakfast partner to "Help yourself to the bacon, dear," followed by the zinger: "[A]nd what did you and 'that woman' talk about, other than saving Social Security?" The irony of the "dear" cannot go unnoticed, as the wife is questioning her husband about his alleged infidelities. Nor can one forget those two words "that woman" stridently affirmed by Clinton as he was denying his sexual relations with Monica Lewinsky.

The monologue is obviously never answered. Whether the man passes the marmalade or partakes of the bacon we shall never know. Rather, what we do know is that this fantasy scenario functions, if I may speak in food terms, almost as a club sandwich (I know that this is not a breakfast item though I beg my readers'

39. George Will, *Mrs. Clinton and the 'Right-Wing Conspiracy' Theory*, (Jan. 28, 1998), at <http://www.Naplesnews.com>; see also George Will, *First Lady Pounds the Table with Conspiracy Charge*, *TIMES UNION* (Albany, NY), Jan. 29, 1998, at A11, available at LEXIS, News Library, Times Union File.

40. *Id.*

41. *Id.*

42. *Id.*

indulgence nevertheless). But this is a most unusual club sandwich, whose layers are made of food, law, and politics. First comes the marmalade, then come the meetings with Lewinsky and their timing with regards to the Paula Jones case and the affidavit, then comes the bacon, then comes the conversation, other than Social Security, with "that woman." The silence of the man sitting across the table from Hillary is very telling. The food part of the politico-legal-gustatory sandwich requires no response: the first layer is an order to pass the marmalade and the second an invitation for the man to help himself to the bacon. Law and politics are where the questions become embedded, questions that are never answered.

This fantasy breakfast went beyond George Will's column and was repeated by other commentators and pundits nationwide. From Richard Greene in the *Fort Worth Star-Telegram*⁴³ to John Leo in *U.S. News & World Report*, this breakfast clearly resonated for Americans.⁴⁴ But it was not only in newspapers and magazines that this fantasy meal echoed. William Bennett picks up the entire George Will fantasy verbatim in his *The Death of Outrage*.⁴⁵

Ann Coulter, in *High Crimes and Misdemeanors*, also joined in the fray.⁴⁶ But her imaginary breakfast is not based on that of George Will nor is it about Monica Lewinsky. Rather, it relates to Elizabeth Ward Gracen who first denied having relations with Clinton but then admitted that she did have, in Coulter's words, "sex with the then-governor in 1983, when she was twenty-two. Gracen said she was coming clean in order to make it absolutely clear that Clinton had not used force on her. That's gallantry in the era of Clinton."⁴⁷ And now for the fantasy breakfast.

One can't help imagining the conversation over breakfast in the White House residence that morning—Hillary: *Oh look Bill! That sweet Elizabeth Ward has told the press you didn't use force when you had sex with her while I was home taking care of little Chelsea in 1983. Isn't that nice of her?*⁴⁸

Coulter's imagined breakfast scenario involves no food. Hillary neither asks for marmalade nor offers bacon. She does, however, address Bill directly. He, like his persona in the George Will fantasy breakfast, remains silent. The First Lady's tone is biting as she first refers to the object of Bill's fling as "that sweet Elizabeth Ward" and then exclaims, "Isn't that nice of her?" And what is it that is instigating this saccharine tone? Why, the fact that Ward told the press that Clinton had not used force when having sex with her. As for Hillary, she portrays herself in Coulter's imagined meal as the doting mother who was "home taking care of little Chelsea." This maternal role in which Coulter puts Hillary Rodham Clinton turns her husband into a bigger cad than he would otherwise have been. And for those of us who might

43. Richard Greene, *He Said, She Said, They Said, We Said*, FORT WORTH STAR-TELEGRAM, Feb. 4, 1998, at 13, available at WESTLAW, Westnews, FTWORTH-ST File.

44. John Leo, *The Week That Was*, U.S. NEWS & WORLD REP., Feb. 9, 1998, at 14.

45. WILLIAM J. BENNETT, *THE DEATH OF OUTRAGE: BILL CLINTON AND THE ASSAULT ON AMERICAN IDEALS* 95 (1998).

46. ANN H. COULTER, *HIGH CRIMES AND MISDEMEANORS: THE CASE AGAINST BILL CLINTON* (1998).

47. *Id.* at 76.

48. *Id.* (emphasis in original).

have forgotten who Elizabeth Ward was, writers on the American presidency are there to help. Elizabeth Ward-Gracen is a former Miss Arkansas and Miss America in 1981, who appeared in *Playboy* in May, 1992.⁴⁹

From the cookies-and-tea debacle at breakfast time, through the George Will imagined breakfast to the Coulter fantasy breakfast—a progression that raises a most important question: Why breakfast? Breakfast is the first meal of the day. Normally, it would signal an intimate time of the morning, the first event one might share with another individual. If taken at home, be it in the White House or at Martha's Vineyard, it would imply that the parties having breakfast together at least shared a night together. But news junkies who have eagerly followed Bill and Hillary Clinton's conjugal life know that the First Couple did not share a bedroom, much less a bed.⁵⁰ Breakfast time might also have been the only time that Hillary would have free access to Bill Clinton and, therefore, be able to discuss personal and political issues.

Breakfast, as well, is a more culturally coded meal in America than, for example, in France or Italy. It is supposed to be a robust meal with eggs and meat, toast and juice—the opposite of a Continental breakfast. And yet, we know that we rarely live up to this ideal, falling back on cold cereal—when not on Pop Tarts. The cultural anxiety comes out wonderfully in the advertising phrase “part of this nutritious breakfast.” Arianna Huffington in her fantasy stay in the Lincoln Bedroom lays out “The White House Breakfast Menu.”⁵¹ The portions come in three sizes: “Chelsea,” “Hillary,” and “Bill.”⁵² The menu offers various delectable treats based on different political and cultural figures. And like other breakfast meals and offerings, these are laden with law, sex, and politics. We have “The Janet Reno,” “The Ross Perot Omelette,” “The Al Gore,” “The Maya Angelou Plate.”⁵³ I could not resist two examples, both of which are significant in the context of breakfast at Hillary's:

THE FIRST LADY

Muesli, carob, dried fruit, tofu, kale,
wheat gluten, and soy bacon.
It may not taste great, but it's good for you,
so eat it anyway and be thankful for it.
If the President has to, so do you.

THE MONICA LEWINSKY

These scrambled eggs are hot and loose.
Comes with hot sticky buns.⁵⁴

There is clearly something also sacred about breakfast for Americans. Jeffrey

49. *E.g.*, WESLEY O. HAGOOD, *PRESIDENTIAL SEX: FROM THE FOUNDING FATHERS TO BILL CLINTON* 205 (1998).

50. *See, e.g.*, MALTI-DOUGLAS, *supra* note 18, at ch. 7.

51. HUFFINGTON, *supra* note 1, at 188-89.

52. *Id.*

53. *Id.*

54. *Id.*

Rosen details the circumstances behind the 1890 *Harvard Law Review* article by Louis D. Brandeis and Samuel D. Warren that he considers “the most famous essay on privacy ever written.”⁵⁵

What outraged Brandeis and Warren was a mild society item in the *Boston Saturday Evening Gazette* that described a lavish breakfast party Warren himself had put on for his daughter’s wedding. . . . Brandeis and Warren were appalled that a domestic ceremony would be described in a gossip column and discussed by strangers.⁵⁶

The domestic aspect of breakfast is stressed. “The press they wrote, was ‘overstepping’ the ‘bounds of propriety and of decency,’ and intruding on ‘the domestic circle.’”⁵⁷ Moving almost a century to a more contemporary setting, we still seem to be consumed (if the reader will forgive such a word in this context) with that highly “domestic” meal. Dana Milbank noted that 2000 presidential candidate Lamar Alexander “has resolutely tried to keep his spirits up. ‘Who else can see America this way?’ he says aboard the Winnebago. ‘Interrupting people at breakfast, sleeping in their houses.’”⁵⁸ For presidential candidates, it seems that anything goes.⁵⁹

Breakfast is also a time at which Americans, regardless of partisan affiliation, seem to need to cleanse their souls. Why else would we speak of prayer breakfasts? There is the National Prayer Breakfast in which Mother Theresa “addressed Bill and Hillary Clinton” and spoke against abortion.⁶⁰ And did not Bill Clinton himself indulge in this national pastime when he went before the American public flanked by Hillary and 106 religious leaders on Friday, September 11, 1998 and declared not only “I have sinned,” but also, “I have repented?”⁶¹ Perhaps Dan Rather put it best on the CBS Evening News that day: “At an extraordinary White House prayer breakfast this morning the President went beyond his recent round of apologies. He went to acknowledging sin and expressing remorse and repentance.”⁶² Christopher Hitchens imagines “Bomber Bill carrying a large Bible from prayer breakfast to prayer breakfast.”⁶³

Of course, this is not to speak of political breakfasts. There is the supposed “coming-out breakfast” that “homosexual appointees within the Clinton

55. JEFFREY ROSEN, *THE UNWANTED GAZE: THE DESTRUCTION OF PRIVACY IN AMERICA* 5-7 (2000).

56. *Id.*

57. *Id.*

58. DANA MILBANK, *SMASHMOUTH: TWO YEARS IN THE GUTTER WITH AL GORE AND GEORGE W. BUSH—NOTES FROM THE 2000 CAMPAIGN TRAIL* 157 (2001).

59. *Id.*

60. Richard J. Pezzullo, *Abortion Is Wrong*, at www.pezzullo.com/abortion.htm (last visited Nov. 14, 2001).

61. Terence Hunt, *Clinton: “I have sinned. . . . I have repented”*, Associated Press, Sept. 11, 1998, available at http://www.canoe.ca/CNEWSClinton/sep11_repented.html.

62. Awed by Prayer Address, 3 CYBERALERT No. 147, Sept. 12, 1998, at <http://www.mediaresearch.org/news/cyberalter/1998/cby19980912.html>.

63. CHRISTOPHER HITCHENS, *NO ONE LEFT TO LIE TO: THE TRIANGULATIONS OF WILLIAM JEFFERSON CLINTON* 82 (1999).

administration" held on November 2, 1993 for the press.⁶⁴ Then there is breakfast as the occasion for fundraising, such as the one in which President Clinton participated on behalf of Hillary's senatorial campaign race.⁶⁵ And this is not to speak of those breakfast fundraisers with the First Lady herself.⁶⁶

While we're at it, how can we forget the breakfast shows? The popular "Breakfast with Bauerle" show in Buffalo, New York, was cancelled when its host, Tom Bauerle, insisted on probing his guest, senatorial candidate Hillary Rodham Clinton, about her sex life.⁶⁷ Not only did he want to know if she had had sexual relations with Vince Foster but he asked her, "Have you ever used pot or cocaine?"⁶⁸ Her response: "Tom, what did you have breakfast for [sic] this morning?"⁶⁹ Even his colleagues in the "national press, including editorial writers for both *The Daily News* and *The New York Post*" excoriated him for this.⁷⁰ The *Progressive Review* notes that: "The attacks on Bauerle grew so intense that he disappeared for a few days. Within two weeks of his interview with Clinton, his station . . . canceled his popular 'Breakfast with Bauerle' show, replacing it with an all sports talk show which Bauerle continues to host."⁷¹

Not only might breakfast be a dangerous time but it is also clearly a meal on which we project many national fantasies. The imagined breakfasts with Bill and Hillary, no matter what their overt message, are there to reassure us of the paradigm of national heterosexuality so important for our notion of a First Couple. Yet, this paradigm embodies many an anxiety. George Stephanopoulos tells his readers, "One morning during the New York primary all I saw as I walked in their door was her standing over him at the dining room table, finger in his face, as he shoveled cereal into his mouth, his head bent close to the bowl."⁷² This is a far cry from that breakfast at Martha's Vineyard with the fluttering seagull.

Even Stephanopoulos is not averse, however, to using breakfast metaphors when speaking of his own political situation. As Hillary comes in to attend a meeting about Whitewater, the room "dropped dead silent" on her entry.⁷³ Stephanopoulos explains:

Because I had been talking, I felt as if everyone was looking at me. The old Life

64. Mark E. Howerter, *Hillary and Her Hellcats*, at <http://www.otherside.net/hillary.htm> (last visited Mar. 22, 2002).

65. Brad Heath, *Breakfast with the President all About Hillary—Clinton Steps Up His Role*, Oct. 22, 2000, at <http://www.freerepublic.com/forum/a39f2e99d5dec.htm>.

66. See, e.g., Beth J. Harpaz, *Hillary Clinton Gets Up Close and Personal*, DETROIT NEWS, June 17, 2000, available at <http://www.detnews.com/2000/politics/0006/18/politics-76752.htm>.

67. *A Few of Hillary Clinton's Greatest Hits*, PROGRESSIVE REV., at <http://prorev.com/hillary2.htm> (last visited Dec. 6, 2001).

68. *Together Forever, and Ever Faithful* (Jan. 19, 2001), at <http://abcnews.go.com/sections/politics/DailyNews/hillary000118.html>.

69. *Id.*

70. *A Few of Hillary Clinton's Greatest Hits*, PROGRESSIVE REV., at <http://prorev.com/hillary2.htm> (last visited Dec. 6, 2001).

71. *Id.*

72. GEORGE STEPHANOPOULOS, *ALL TOO HUMAN: A POLITICAL EDUCATION* 92 (1999).

73. *Id.* at 230.

cereal commercial passed through my head: Two older boys don't like the looks of their new breakfast, so they pawn it off on their little brother—"Let Mikey try it. He'll try anything." I prided myself on not being afraid to make a tough argument to the principals, and I'd look like a wimp now if I didn't continue.⁷⁴

From breakfast advertisements to politics to wimpiness and masculinity. This is certainly a heavy burden for one meal. And then to learn that Hillary "ate him [Bill] for breakfast"⁷⁵ truly makes that first meal of the day symptomatic of American domesticity today: a bipolar disorder in need of some serious medication.

Obviously, the First Lady did not eat Bill for breakfast. But she does admit in *It Takes a Village* that "passion for food is a national obsession."⁷⁶ And in her case, that breakfast is never too far away. Witness the debacle over the stiffed waitress. Barbara Saffir of the *Washington Times* broke the story that senatorial candidate Hillary Clinton, after a February, 2000, breakfast at an Albion, New York diner, left without leaving a tip.⁷⁷ Worse than that, Hillary is said to have consumed not one but two breakfasts: "Mrs. Clinton . . . ate two orders of scrambled eggs, home fries and rye toast at the Village House Restaurant."⁷⁸

A gaffe to be sure. But two breakfasts? It is not enough that Hillary should have consumed one breakfast but the American public has to be told that that she consumed two such meals. This, of course, makes her stiffing the waitress that much more objectionable. Even more importantly for Foodgate, it doubles that meal which is crucial to our analysis.

Michael Tomasky, chronicling Hillary Clinton's run for the Senate, labels this "Tipgate" and presents a different account.⁷⁹ He does not specify the meal but does indicate that once the story appeared in *The Washington Times*, "the *Post* went bonkers with it, running not only a news story about it on page three, but a sidebar quoting etiquette experts to the effect that people who can afford to leave tips but don't are 'spoiled' and 'can't relate to everyday life.'"⁸⁰ The story then circulated from there to the cable channels.⁸¹

Tipgate is not a bad appendage to Foodgate. A small item that might go unnoticed relates another faux pas in the world of Tipgate.⁸² After having a "scrumptious" dinner at the Russian Tea Room with Lauren Bacall, Hillary Clinton picked up the \$400 check, but legendary Lauren was shocked when she noticed that the former first

74. *Id.*

75. Paul Lowinger, *The Psychobiography of Hillary Rodham Clinton*, at <http://www.zpub.com/un/hillc.html> (last updated July 23, 2001).

76. HILLARY RODHAM CLINTON, *IT TAKES A VILLAGE* 115 (1996).

77. Barbara J. Saffir, *Waitress Hillary Stiffed Gets Apology but No Cash*, WASH. TIMES, at <http://www.govnotgod.org/hillary/wt021600.htm> (last updated Feb. 16, 2000).

78. *Id.*

79. MICHAEL TOMASKY, *HILLARY'S TURN: INSIDE HER IMPROBABLE, VICTORIOUS SENATE CAMPAIGN* 122 (2001).

80. *Id.*

81. *Id.*

82. An Error by the Senator, CYBERPRESSE, at http://www.cyberpresse.ca/reseau/arts/0108/art_101080003407.html (Aug. 5, 2001) (citing an article from the tabloid *Star*) (on file with the *Indiana Law Journal*).

lady left a measly \$20 tip.⁸³ As Hillary was chatting with others, Lauren sneaked back to the waitress and handed her a \$100 bill.⁸⁴ Bacall apparently shrugged her shoulders and whispered: "The senator must have made a mistake."⁸⁵

And we might well ask, what does Foodgate hold for the future? In the March 13, 2001, issue of the *Globe*, the tabloid announced that the Clintons were to formally divorce.⁸⁶ This "*Globe Exclusive*" reported that Hillary Clinton planned to file for divorce in April of 2001.⁸⁷ This interestingly enough has not materialized as quickly as the *Globe* predicted. But what would this potential divorce have to do with breakfast at Hillary's? This time let us take a junket to Mexico. In certain parts of that wonderful country, they serve a breakfast specialty called "huevos divorciados"—divorced eggs. Two eggs, sunny side up or over easy, are served with two salsas, green on one egg and red on the other. These are divorced eggs. I asked friends in Mexico whether one ever served any other food as divorced, say "tacos divorciados" for example, but I was assured that it was only eggs and eggs at breakfast. In Mexico, too, breakfast has a special relationship to marriage and domesticity.

So it would seem that the notion of breakfast being a time of intimacy, a time in which one can indulge in food after a night's rest is not a restricted one. Hillary Clinton, surely unbeknownst to herself, hit a raw nerve in the mental structures of America. For Americans, law, politics, and food have become an unholy alliance as far as Hillary Clinton is concerned, much like those *huevos divorciados* with their two radically different sauces.

83. *Id.*

84. *Id.*

85. *Id.*

86. Mr. Wonderful Talks Politics, *Clinton's to Formally Divorce!*, at <http://www.angelfire.com/az/nativebob/politic995.html> (Mar. 7, 2001) (citing Steve Herz & Bob Hartlein, *Clinton Divorce: It's a Done Deal*, *Globe*, March 13, 2001, pp. 4-5. (on file with the *Indiana Law Journal*)).

87. *Id.*