

It's not the results of an election that could determine who is prosecuted. It's the results of an election that could -- in a dreamy optimistic fantasy anyway -- determine whether laws are enforced. The Justice Department is right now a branch of a political party, hiring and firing on that basis, and - yes - prosecuting on that basis. Any future president must undo that, and must prosecute openly criminal predecessors, regardless of party. But rather than asking McCain to make that commitment, you choose to ask Obama NOT to. Which side of the law are you on? I repeat: Bush is not a candidate this year. He cannot win or lose. Your acceptance of the idea that party loyalty must supercede all else, including both the rule of law and the significance of elections, that it must go completely unquestioned, just like your fantasies about the utility of torture, is the root of the difficulty here.

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