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Body

That's the telephone number of Senator Schumer's office in Washington. It was passed along to us by an admirer of the senator who is pained at how silly Mr. Schumer is looking with all his posturing over the nomination of Judge Roberts to the Supreme Court. Mr. Schumer's admirer reckons that if more New Yorkers made it clear to Mr. Schumer that he isn't winning votes, he'll avoid the embarrassment.

In a 2003 confirmation hearing, Mr. Schumer barraged Judge Roberts with so many inappropriate questions that he drove the chairman of the Judiciary Committee, Senator Hatch, to the point of exasperation. "Discussion of a nominee's personal views, I think, can lead to an appearance of bias and I think that is improper," said Mr. Hatch.

Quoth Mr. Hatch: "Now, look, I have a lot of respect for Senator Schumer ... He comes to these meetings and he asks questions. Most of them, I believe, are very intelligent questions. Some, I totally disagree with. Some, I think, are dumb---questions, between you and me ... I feel badly saying it, between you and me, but I do know dumb---questions when I see dumb--- questions."

As if to underscore the point, Mr. Schumer yesterday handed Judge Roberts what a printed list of 81 questions on various Supreme Court decisions, points of constitutional interpretation, and Judge Roberts's political views. Some are just cornball, such as "What is the proper role of the federal government in enacting laws to protect the environment?" - as if a Supreme Court justice ought to have a role in making environmental policy, as opposed to interpreting the law.

Some are clearly meant to draw Judge Roberts into political debates over the courts, such as "Do you more frequently agree with Justice Scalia's opinions, or Justice Ginsburg's?" and "Can you cite any examples of conservative judicial activism?" But many ask Judge Roberts, improperly, to come down on issues that have recently been before the Court and are likely to come up again.

Many questions on Mr. Schumer's pop quiz are identical to questions that Judge Roberts refused to answer during his confirmation hearing in 2003. Mr. Schumer pressed those questions on the nominee two years ago, only be dressed down by the committee chairman. "I have given you more time than anybody else on this Committee and frankly I don't think we are getting anywhere." Mr. Hatch, adding that he'd fault the nominee if he answered.

Mr. Schumer is no fool. He has a Harvard law degree of his own. But he only embarrasses New York by diverging from the etiquette that applied to Justices Ginsburg, O'Connor, Stevens, Marshall, and the rest when they came before the Senate Judiciary Committee. If New Yorkers want to avoid further embarrassment, they would be well advised to give Mr. Schumer a call and let him know what they think. Warned Mr. Hatch on Fox News this week: "I don't think the American people are going to put up with any more crap from the Judiciary Committee."

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