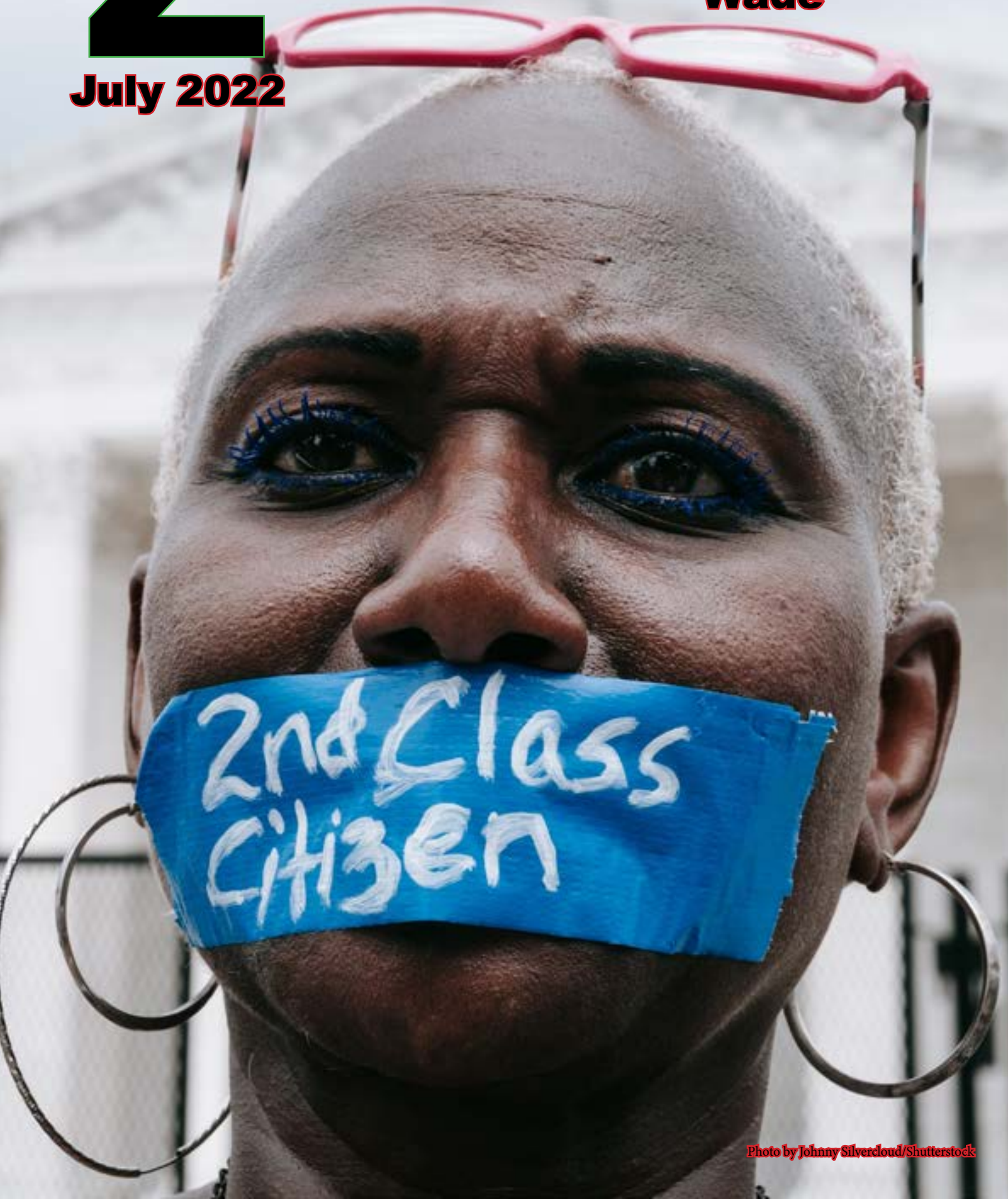


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July 2022

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Self-Determination Has Been Wrenched Away From Half the US Population

By Marjorie Cohn

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For the first time in U.S. history, the Supreme Court has retracted a fundamental constitutional right. “We hold that Roe and Casey must be overruled,” Samuel Alito wrote for the majority of five right-wing zealots on the court in *Dobbs v. Jackson Women’s Health Organization*. They held that “procuring an abortion is not a fundamental constitutional right because such a right has no basis in the Constitution’s text or in our Nation’s history.”

Since the day *Roe v. Wade* was decided nearly 50 years ago, its opponents have executed a methodical campaign to overturn it. There is no reason, in fact or in law, to erase the constitutional right to abortion. The Constitution still protects abortion, and there have been no factual changes since 1973 that would support abolishing it. The only thing that has changed is the composition of the court. It is now packed with radical Christian fanatics who have no qualms about





imposing their religious beliefs on the bodies of women and trans people, notwithstanding the Constitution's unequivocal separation of church and state.

Alito was joined by Clarence Thomas, Neil Gorsuch, Brett Kavanaugh and Amy Coney Barrett in stripping protection of the right to self-determination from half the country's population.

In their collective dissent, Stephen Breyer, Sonia Sotomayor and Elena Kagan said the majority "has wrenched this choice from women and given it to the States." They wrote that the court is "rescinding an individual right in its entirety and conferring it on the State, an action the Court takes for the first time in history."

Noting, "After today, young women will come of age with fewer rights than their mothers and grandmothers had," the dissenters conclude: "With sorrow—for this Court, but more, for the many millions of American women who have today lost a fundamental constitutional protection—we dissent."

During the December oral argument, Sonia Sotomayor expressed concern about how the Supreme Court would "survive the stench" of the overtly ideological overruling of *Roe*. It will show, she said, that the Court's rulings

are "just political acts."

By overturning *Roe* and *Planned Parenthood v. Casey*, the court's majority confirmed the significance of Sotomayor's query. While purporting to shift the restriction or abolition of abortion to the states, the court has engaged in a political act. It delegated the fate of a right that had been moored in the Constitution to the political process.

"This conservative court defers to the political process when it agrees with its results," Berkeley Law School Dean Erwin Chemerinsky wrote in the *Los Angeles Times*, "but the deference vanishes when the conservative justices dislike the states laws."

As Chemerinsky notes, "there was no deference to the political process earlier this week when the conservatives on the court declared unconstitutional a New York law limiting concealed weapons that had been on the books since 1911 or struck down a Maine law that limited financial aid to religious schools."

Brett Kavanaugh insisted in his concurrence that the Constitution is "neither pro-life nor pro-choice." Arguing that it is "neutral" on abortion, he claimed that the issue should be left to the states and "the democratic process." But partisan gerrymandering and the

Supreme Court's evisceration of the Voting Rights Act to the detriment of Democrats and people of color belie the court's purportedly "democratic" and "neutral" delegation of abortion to the states.

The court held in *Roe* that abortion was a "fundamental right" for a woman's "life and future." It said that states could not ban abortion until after viability (when a fetus is able to survive outside the womb), which generally occurs around 23 weeks. Nineteen years later, the court reaffirmed the "essential holding" of *Roe* in *Casey*, saying that states could only place restrictions on abortions if they don't impose an "undue burden" on the right to a pre-viability abortion.

Alito wrote in *Dobbs* that since abortion is no longer a fundamental constitutional right, restrictions on it will be judged under the most lenient standard of review—the "rational basis" test. That means a law banning or restricting abortion will be upheld if there is a "rational basis on which the legislature could have thought that it would serve legitimate state interests."

At issue in *Dobbs* was Mississippi's 2018 Gestational Age Act, which outlaws nearly all abortions after 15 weeks of pregnancy, well before viability. The law contains ex-



ceptions for medical emergencies and cases of “severe fetal abnormality,” but no exception for rape or incest.

The majority said that Mississippi’s interest in “protecting the life of the unborn” and preventing the “barbaric practice” of dilation and evacuation satisfied the rational basis test so its law would be upheld. The court accepts the notion of protecting “fetal life” but nowhere mentions what the dissenters call “the life-altering consequences” of reversing *Roe* and *Casey*.

In both *Roe* and *Casey*, the court grounded the right to abortion in the liberty section of the Due Process Clause of the 14th Amendment, which says that states shall not “deprive any person of life, liberty, or property, without due process of law.” The court in *Roe* relied on several precedents saying that the right of personal liberty prohibits the government from interfering with personal decisions about contraception, marriage, procreation, family relationships, child-rearing and children’s education.

The *Dobbs* majority said the Constitution contains no reference to abortion and no constitutional provision implicitly protects it. In order to be protected by the Due Process Clause, a right must be “deeply rooted in this Nation’s history and tradition”

and “implicit in the concept of ordered liberty.” According to the majority, there is no liberty interest because the law didn’t protect the right to abortion in the 19th century.

To his credit, John Roberts did not vote to overturn *Roe* and *Casey*, writing that the majority’s “dramatic and consequential ruling is unnecessary to decide the case before us.” Mindful of the threat this “serious jolt to the legal system” will pose to the legitimacy of the Roberts Court, the chief justice sought to split the baby, so to speak. He discarded the viability test and upheld the Mississippi law, leaving the issue of the constitutionality of abortion to a future case. Purporting to be a supporter of abortion rights, Roberts said women in Mississippi could choose to have an abortion before 15 weeks of pregnancy.

In order to justify their rejection of stare decisis (respect for the court’s precedent) to which the members in the majority had pledged fealty during their confirmation hearings, Alito wrote that *Roe* was “egregiously wrong.” He and the others in the majority had the nerve to compare abortion to racial segregation, drawing an analogy between the court’s overruling of *Roe* and its rejection of *Plessy v. Ferguson* in *Brown v. Board of Education*.

Nearly half the states have laws banning or severely restricting abortion. Almost one in five pregnancies (not counting miscarriages) end in abortion, which is one of the most frequent medical procedures performed today. Twenty-five percent of American women will end a pregnancy in their lifetime. Now that *Roe* has been overturned, it is estimated that 36 million women and others who can become pregnant will be denied the fundamental right to choose whether to continue a pregnancy.

The dissenters observed that under laws in some states (like Mississippi) that don’t offer exceptions for victims of rape or incest, “a woman will have to bear her rapist’s child or a young girl her father’s—no matter if doing so will destroy her life.”

Alito wrote, “The Court emphasizes that this decision concerns the constitutional right to abortion and no other right. Nothing in this opinion should be understood to cast doubt on precedents that do not concern abortion.”

But the dissenters were not convinced. “No one should be confident that this majority is done with its work,” they warned. The dissent noted that the right to abortion enshrined in *Roe* is “part of the same constitutional fabric” as the rights to contraception

and same-sex marriage and intimacy. “Either the mass of the majority’s opinion is hypocrisy, or additional constitutional rights are under threat. It is one or the other.”

Thomas didn’t pull any punches in his concurrence. He said that the court “should reconsider” other precedents based on substantive due process, including *Griswold v. Connecticut* (the right to contraception), *Lawrence v. Texas* (the right to same-sex sexual conduct) and *Obergefell v. Hodges* (the right to same-sex marriage).

In Alito’s draft opinion, which was leaked to *Politico* in May, he wrote that the rights protected by *Lawrence* and *Obergefell* are not “deeply rooted in history.” But the final majority opinion didn’t go that far. Kavanaugh would not have signed onto it. He wrote in his concurrence, “Overruling *Roe* does not mean the overruling of [*Griswold*, *Obergefell*, *Loving v. Virginia* (right to interracial marriage)], and does not threaten or cast doubt on those precedents.”

The dissenters frame the *Dobbs v. Jackson Women’s Health Organization* ruling as a gross attack on the right to self-determination: “The Court’s precedents about bodily autonomy, sexual and familial relations, and procreation are all interwoven—all

part of the fabric of our constitutional law, and because that is so, of our lives. Especially women’s lives, where they safeguard a right to self-determination.”

It is that right to self-determination that the five ultra-conservative members of the court have wrenched away from half of the people in the United States. **Z**

Choice Without Shackles

By Robert C. Koehler

“The inescapable conclusion is that a right to abortion is not deeply rooted in the Nation’s history and traditions. On the contrary, an unbroken tradition of prohibiting abortion on pain of criminal punishment persisted from the earliest days of the common law until 1973.”

What could be more convincing than that? The words are part of Samuel Alito’s majority opinion in the recent SCOTUS ruling overturning a woman’s right to an abortion. Apparently human evolution stopped in . . . 1789. We—in particular, women, people of

color—are prisoners of the past, when slavery was the law of the land, when women couldn’t vote. America, America, land of white male dominance and ignorance. Thank God for the constitutional originalists, who do what they must to keep that ignorance viable, to keep us anchored to the certainties of the old days.

These are the certainties that shape the world, that keep militarism alive, that keep the prison system alive—speaking of which, 11 states still allow the barbaric practice known as “shackling” within the system: handcuffing and chaining incarcerated pregnant women, including when they are, God help us, in labor. The cruel absurdity of this practice is almost beyond comprehension. And it hasn’t been that long ago that it was situation normal throughout the country.

I first wrote about it in 2004, when Arkansas became the second state—following Illinois—to ban shackling, after an Amnesty International report came out that included stories like this, from a woman’s experience at Chicago’s Cook County Jail: “I was in labor for almost 12 hours. I asked the officer to disconnect the leg iron from the bed when I needed to use the bathroom, but the officer made me use the bedpan in-





stead. I was not permitted to move around to help the labor along. ...

“When I felt the baby come) the doctor called for the officer, but the officer had gone down the hall. No one else could unlock the shackles, and my baby was coming but I couldn’t open my legs.”

Recently Tennessee banned such practices, thanks to the activism of women in the state, many of whom endured the horror of shackling per-

sonally. The reason given for this practice is that a woman in labor who is unrestrained during the birth process might try to escape. She's cuffed while in the ambulance to the hospital, cuffed and chained while on the hospital bed. After the birth, the baby is taken away. There's a male dominance going on here that's stunningly clueless about the nature of life, from the point of view not only of women but of infants.

Free Hearts, one of the organizations that pushed Tennessee to ban shackling, is also pushing other, related legislation, including, as Victoria Law writes: “a proposal to ban solitary confinement for all pregnant people, since Tennessee has no restrictions against subjecting pregnant people to this practice, which has been proven to negatively affect people’s physical and mental health. For pregnant people, isolation and the in-

ability to walk or exercise also carry negative effects on the development of the fetus.”

As I read this, I couldn't stop squirming with frustration and incredulity. This is bureaucratic discipline created in a man's world, with zero sense of the complex vulnerability of a pregnant woman's life—or of life itself.

Add to this a further bit of data: National Public Radio and Northwestern University's Medill School of Journal-

ism, some years back, gathered data from prisons around the country and learned that “women were disciplined two to three times more often than men for more minor violations of prison rules. Women were more likely to get punished for nonviolent and often subjective violations, like disobeying or talking back to a corrections officer.”

One woman, for instance, “says she once was placed in solitary confinement for three

months after making an unauthorized phone call to her 10-year-old daughter.”

Excuse me. Something feels strange here, a hovering dominance, you might say—especially in the wake of the Supreme Court’s overturning of *Roe v. Wade*, throwing abortion rights open to the states. Somehow this anti-choice ruling doesn’t feel like reverence for life, but rather reassertion of control, a.k.a., patriarchy. A pregnant



woman, even if she's not in jail—even if she's the victim of rape—has to do what she's told: Carry that baby to term. If she doesn't, she will be in jail. Or worse.

Beyond the confiscation of women's rights, I feel something else missing: a valuing—an understanding—of life itself, of giving birth, of nurturing and giving love to a child. Men must be part of this, but they shouldn't pretend to have control over it, any more than they have control over a woman's body. I speak as a dad, profoundly fortunate to have been part of the birth of my daughter, present as a Lamaze-trained helper during labor and delivery. The entirety of my focus was helping my wife through her ten-hour struggle to give birth, then dancing for five minutes as I held the newborn in my arms.

The state's historical relationship to pregnancy and birth, and to the life of women, has been, to a large extent, authoritarian, controlling and ignorant, evincing neither understanding nor respect. Thus digging through history for precedent—that is, for justification—in regard to abortion, as Alito and the SCOTUS five did, is basically an ideological cover.

What the state must do is learn and evolve, maintaining what Morgan Marietta called

a “living Constitution,” continually expanding the extent to which it understands life and values all of its citizens—by honoring who they are and what they need, by sustaining a tradition of unshackled choice. **Z**

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Supreme Court Denies Religious Freedom

By Bob Topper

A good friend who heads a leading law firm once explained that when a lawyer's case is weak, he argues precedent. He relies on historical findings in similar cases to dazzle the judge and jury. But when a lawyer is in command of his case,

understands how and why his position is fair and just, he doesn't sway the court with arcane case law. He presents the facts logically, in plain language, so that everyone, including the opposing attorney, will see and agree that the verdict he seeks is fair and just.

As I read Justice Alito's decision on *Dobbs v. Jackson Women's Health Organization*, my friend's explanation came to mind. Why would anyone need 65 pages citing law back to the 1600s to explain that *Roe* and *Casey* were “egregiously wrong from the start.” Something so, “conspicuously bad,” should have been obvious to everyone.

But Alito's case is weak, and so his decision is an obfuscation. It is a legalistic tap dance justifying subjective personal belief in the face of the rational decisions of *Roe v. Wade* and *Planned Parenthood v. Casey*. What is more, his argument denies religious freedom to non-Christians.

Christians believe that men and women have a body, and a soul. The soul makes humans uniquely different from other animals. Many Christians claim a third division—between the soul and spirit. And Christians debate when the soul-spirit enters the body. Some say at birth, some at conception, some at quickening or other gestation

marker. But there is no factual evidence that a soul or spirit exists. And so, these religious debates have gone on for centuries and are unlikely ever to end. Without evidence there can be no rational conclusion.

One of the things that made America great is that it didn't take sides in this kind of debate. Until *Roe* was overturned, Americans had always been at liberty, free, to believe whatever they chose to believe. Our secular Constitution guaranteed this freedom of choice.

Humankind's ability to reason is the foundation of our Republic. Reason is the basis of our laws and judicial system. When the founders wrote our Declaration of Independence and our Constitution they were inspired. Their inspiration came from the Enlightenment philosophy of the 17th century, the Age of Reason, from people like Hobbs, Rosseau, Spinoza and Locke, who rejected Christian revelation as a foundation for government and law and replaced it with reason. Despite the founder's faith in humankind's reasoning ability, Alito takes the opposite view; he chooses Christian belief over reason.

Roe and *Casey* understood that laws banning abortion, like the Mississippi law at hand, are a violation of women's rights. The *Roe* and *Ca-*

sey courts appreciated that any decision regarding when or if a fetus becomes a human life must be subjective. So only a woman can decide whether or not she should terminate her pregnancy. Neither the courts, nor the state nor anyone else had any right to interfere with that liberty.

Taking a different path, Alito decides that this woman's liberty, her right to choose, must be "ordered," which is to say restricted. Inherently, this says that women are lesser beings, incapable of self-determination and attempts to diminish them as equals.

Consider this arcane paragraph: "Ordered liberty sets limits and defines the boundary between competing interests. *Roe* and *Casey* each struck a particular balance between the interests of a woman who wants an abortion and the interests of what they termed "potential life." *Roe*, 410 U. S., at 150; *Casey*, 505 U. S., at 852. But the people of the various States may evaluate those interests differently. In some States, voters may believe that the abortion right should be even more extensive than the right that *Roe* and *Casey* recognized. Voters in other States may wish to impose tight restrictions based on their belief that abortion destroys an "unborn human being." Miss. Code Ann. §41-41-191(4)

(b). Our Nation's historical understanding of ordered liberty does not prevent the people's elected representatives from deciding how abortion should be regulated."

The competing interests of Ordered Liberty are freedom and societal order. Fifty years have shown that the freedom-*Roe v. Wade* insures has had no impact on societal "order." Hence, with this "ordered liberty" argument, Alito takes us down a rabbit hole with no explanation of how *Roe* or his decision affects "ordered liberty." More importantly, both *Roe* and *Casey* determined that a women's right to choose is fundamental, the right of all women, everywhere. Such rights are not arbitrary, nor are they a matter of "ordered liberty" and so cannot be left to the states any more than the right to inter-racial marriage can be.

He asserts, "Voters in other states may wish to impose tight restrictions based on their belief" [emphasis added]. Belief is the key word. Alito claims this fundamental right is arbitrary and does not depend on truth or fact but on what most people wish to believe. A lack of factual evidence is of no concern. Here he endorses Christian belief, for this is a Mississippi case, where 83% of voters are Christian, and this is what Christians believe.



So, the law that Alito defends requires everyone in Mississippi to abide by a Christian belief, which denies religious freedom to anyone who believes differently.

The separation of church and state applies to our Nation as a whole. In that context, one can see why his position is so terribly wrong. By his logic, the Christian majority in Mississippi could impose other restrictions, like outlawing non-Christian religions or requiring attendance at Christian Sunday services.

Moreover, this judgment jeopardizes other hard-won rights, including birth control, interracial marriage, gay marriage, and other LGBT rights. The irrational framework of *Dobbs* could just as well be applied to those cases, as Justice Thomas has already suggested should be done.

The founders were concerned that a “tyranny of the majority” would deny individual rights, as this Mississippi law has done. They added The Bill of Rights to our Constitution to protect against this very injustice. Majorities can’t impose subjective beliefs on the United States. Look at slavery. In 1865, the belief that slavery was acceptable was firmly and ultimately rejected; at the end of the Civil War, the Confederacy, including Mississippi, surrendered their state

slavery laws.

Sure, some will believe that Alito’s argument is “fair and just,” but most Americans will instead apply those attributes to this compelling excerpt from *Casey*, in plain language that everyone can understand:

“Men and women of good conscience can disagree, and we suppose some always shall disagree, about the profound moral and spiritual implications of terminating a pregnancy, even in its earliest stage. Some of us as individuals find abortion offensive to our most basic principles of morality, but that cannot control our decision. Our obligation is to define the liberty of all, not to mandate our own moral code.”

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Bob Topper is a retired engineer and is syndicated by PeaceVoice.

All Human Rights At Stake When Abortions Are Banned

By April M. Short

A shared ache radiates this summer across the collective of those of us born with breasts, wombs, and pussies. It is the ache of a too-familiar grief held in subjugated bodies. It is the ache that comes from tearing open the sutures we’ve sown, and resown, over an unhealed trauma that stretches back millennia. It’s the ache for freedom from the ancient, decaying cycle of oppression called patriarchy. The ache of hard-won freedoms pilfered once again by a group of old men, appointed by other old men, to positions of inordinate power. It’s the ache for bodily autonomy that is our inherent birthright. It’s an ache for respect and a basic sense of safety in our own bodies; the ache for human rights.

Ignoring half a century of precedent and the fact that 60% of Americans think abortion should be legal in all or most cases, a U.S. Supreme Court stacked with far-right extremists overruled *Roe v. Wade* (and *Planned Parenthood v. Casey*) on June 24, 2022. While this decision is no surprise if you’ve been paying attention recently, it still emits a forceful shock-wave, hurdling our society back into a dark age that disrespects the sovereignty of women, and all people.

Protests erupted worldwide.



Patients across the U.S., terrified and in tears, have been begging clinic staff for help, as abortion clinics started to shut down (as is expected to happen in at least 26 U.S. states). More than half of those patients have likely been victims of abuse—and many of them likely became pregnant as a result of rape. Regardless of their circumstances or the reasons that led them to this deeply personal decision to terminate their own pregnancies, none of them want to carry them to term. And now they may be forced to.

The justices wrote: “Roe held, and Casey reaffirmed, that in the first stages of pregnancy, the government could not make that choice for women. The government could not control a woman’s body or the course of a woman’s life: It could not determine what the woman’s future would be. Respecting a woman as an autonomous being, and granting her full equality, meant giving her substantial choice over this most personal and most consequential of all life decisions....Today, the Court discards that balance. It says that from the very moment of

fertilization, a woman has no rights to speak of. A State can force her to bring a pregnancy to term, even at the steepest personal and familial costs.” On May 5, after a draft of the supreme court’s intention to overturn *Roe v. Wade* was leaked on May 4, @DianaMiller5 wrote on Twitter about being 8 years old “pre-Roe” and watching doctors debate over whether to perform a life-saving abortion on her mother, who was “lying in a puddle of blood” due to an incomplete miscarriage. She recalled how her father got down on his knees and

begged the doctors to save her mother’s life by removing the embryo, and how the doctors debated for 48 hours over whether to carry out the abortion while her mother bled. “My father was required to bring my little sister and I to the hospital boardroom to prove to the board there were children to consider. I will never forget standing there, watching my father get on his knees and beg the board to save my mother. The embryo was not viable, and yet, it was killing my mom. I stood in that boardroom for hours, listening to a group of old men

argue about saving a woman by removing an embryo. I didn’t understand what they were saying except that my mom was going to die if they voted against an abortion... When *Roe v. Wade* was decided I felt such a relief that no family member would ever have to go through the grief...” She is one of countless people with horror stories like this to share, and while her mother’s life was ultimately saved, the lives of countless women were not. Now, many more women’s lives will be permanently disturbed by the

decision to overturn *Roe v. Wade*, and maternal mortality rates are sure to rise due to unsafe pregnancies. This was recently detailed in a 2021 study by researchers at CU Boulder which showed that banning abortion nationwide would lead to a 21% increase in the number of pregnancy-related deaths overall and a 33% increase among Black women. Restricting access to abortion will also have serious implications for the mental health of people with unwanted pregnancies—and research has shown that being denied

Photo by Ron Adar/Shutterstock



access to an abortion has worse mental health implications than having an abortion. Suicidality could also rise. In 2014, Reuters reported that in El Salvador each year hundreds of women who became pregnant through rape attempt to commit suicide. Not to mention the physical, emotional, financial and economic distress of caring for an unwanted baby, in a world where we already have a serious overpopulation problem and worsening climate crises.

In addition to the serious risks to health and well-being a national abortion ban poses, the Supreme Court's decision demonstrates a frightening reality: human rights can evaporate in an instant. It shows us that in this country, people can fight for years for basic protections and rights, and win—only to have those rights swept away again by a few in power. And this court is not stopping at abortions. They will likely come after gay marriage and contraception rulings. They have already weakened Fourth Amendment protections against unreasonable searches and seizures.

Maybe most twisted of all is the fact that just before the court banned legal abortions they further loosened restrictions on guns, even though just weeks prior easy-access to AR rifles made possible

the massacre of 19 school children and their teachers in Uvalde, Texas (while police officers equipped with weapons to storm the building and stop the shooter stood there like cowards because they were afraid they'd be shot at).

The Supreme Court is basically saying it is fine for the government to force you to give birth, whether you want to or not. But once that child is born, the government will do everything in its power to increase the odds that they are one day shot to death in school—or at the movies, a concert, the grocery store, a yoga class, really anywhere in public.

There is plenty of proof from other countries that limiting access to guns works extremely well to prevent mass shootings, but instead the Supreme Court and the right wing is making every possible effort to loosen gun restrictions. Even when mass shootings have on average occurred more than twice a day in this country so far in 2022.

For those in power who would ban legal access to abortion, it has never been about protecting life or caring about babies or families. That could not be more obvious than it is right now.

Women have always aborted unwanted pregnancies, since time immemorial. Fol-

lowing the Supreme Court decision, the demand for herbal abortion remedies is on the rise. Self-medicating with herbs to produce an abortion is extremely unsafe, and can result in serious injuries and death in some cases. That said, herbal abortion can be effective for some, and has been practiced for millennia, under the guidance of trained herbalists. For some women it is a conscious choice, similar to home birth, as Gabby Bess details in an article in *Vice*.

In the article, Bess also notes that “unfortunately, stories about self-induced abortion are rarely not stories about desperation in a political climate where women's reproductive rights are far from guaranteed.”

Herbal abortion harbors many unknowns, and lacks assurance by scientific study compared with the pharmaceutical pill options. This is likely because serious assessment in western science of the safety and efficacy of herbal healing is meager at best, and paired with the equally meager scientific data on female reproductive health the data is basically nonexistent.

Bess reported that when she contacted the American Congress of Obstetricians and Gynecologists, a representative from the organization “told me that ‘ACOG does



not consider herbal abortion as an appropriate way to end a pregnancy. A doctor would never recommend it.' She then pointed me to some grim statistics about women driven to unsafe, illegal abortions. They result in 50,000 deaths annually."

For many people experiencing unwanted pregnancy in the U.S., however, there are still options. Many states will keep the doors of their abortion clinics open, and underground mutual aid networks of support abound, to help safely connect people in red states with clinics in blue states where abortion remains protected. Another option is for women to order abortion pills from overseas, or to set up a mail forwarding address in another state—though all options carry with them some potential legal risk. Not everybody will be lucky enough to access the resources that do exist. For some, it will be too late. For others, these options will not be accessible. Women who are abused are more likely to have unwanted pregnancies and oftentimes women living in abusive situations don't feel safe or have the means to leave town. **Z**

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Indigenous-Led Organization Opens New Salvo in Fight for Climate Justice

By Aric Sleeper

Climate justice means something different to everyone but when it brings to mind images of shrinking glaciers, islands of floating garbage, or oil leaking into the soil from a cross-country pipeline, the associations being made are actually examples of climate injustices, according to climate justice campaign organizer for NDN Collective, Kailea Frederick.

"We often envision climate injustices first before we talk about climate justice," says Frederick. "It's because we see a lot of injustice in terms of what has created climate change and continues to exacerbate it, [along with those] in the front-line communities that are most impacted, who happen to be our people,"

says Frederick.

The concept of climate justice conforms to the belief that global warming and climate change are social, economic and political issues as much as they are environmental or scientific dilemmas. For organizers like Frederick and her colleague, Jade Begay, climate justice campaign director for NDN Collective, climate justice is more than just an acknowledgment that climate change is man-made and rooted in socioeconomic issues, it stands for a better future where the economy thrives while ethical considerations are made for the environment and all people—rich and poor, white or BIPOC (Black, Indigenous, and people of color).

"Climate justice is part of the social movement or activism lexicon, which isn't always the most accessible to regular everyday people," says Begay. "The unfortunate part is that climate justice is centered around meeting the needs of everyday people. In practice, climate justice is really about health and safety, having clean jobs and dignified wages for everyone."

Founded in 2018 by Nick Tilsen of the Oglala Lakota Nation, NDN Collective is an Indigenous-led nonprofit organization focused on building the power of Indigenous people through organizing,





activism, philanthropy and narrative change. Based in Rapid City, South Dakota, the collective's formation was inspired by the efforts of the Standing Rock Sioux Tribe and many other Indigenous groups, and their struggle to stop the construction of the Dakota Access Pipeline (DAPL), which began in 2016.

"Thousands of Indigenous people came together and self-organized a fairly low-impact town that was partially fueled on solar power and governed by Indigenous people," says Begay. "People first came together to fight the pipeline [DAPL], but it wasn't just about the pipeline, it was about systemic racism."

While forming NDN Collective, Tilsen was also heavily influenced by his work with the Thunder Valley Community Development Corporation, which seeks to preserve the culture of the Oglala Lakota Nation in South Dakota through community and economic development.

"Tilsen was already leading this incredible model in his own community and saw the need at Standing Rock for the growth and expansion of [the work being done by] Thunder Valley," says Begay. "That was when the idea of NDN Collective came to be."

Before committing to creat-

ing the collective, Tilsen and others decided to seek the counsel of their ancestors in the spirit world. The message they received in their ceremony was a question, "How long are you going to let other people decide the future for your children? Are you not warriors?" The question spurred Tilsen and his colleagues to proceed with forming the collective.

Begay and Frederick were drawn to the organization through their similar paths. Begay, a descendant of the Diné people and a citizen of the Tesuque Pueblo of New Mexico, had worked with Indigenous organizations in the past. She began consulting for NDN Collective in 2018 and was soon hired as a creative director. Now, as the climate justice campaign director, she focuses on informational campaigns and impacting governmental policy, while also serving as a member of the White House Environmental Justice Advisory Council.

"In my relatively short career and life, I'd never seen something so ambitious, and so exciting in terms of moving resources directly to Indigenous folks," says Begay while referring to the work being done by NDN Collective.

Frederick, who came aboard NDN Collective's

climate justice team in 2021, identifies as a Black American and is a descendent of the Tahltan and Kaska nations. In addition to her work with NDN Collective, she is the editor of Loam and serves as a member of the City of Petaluma Climate Action Commission in California.

"I met Jade some years ago, so when I heard NDN Collective was starting a climate justice team, I was excited," says Frederick. "It felt like a good fit to have the opportunity to work on a team that was focused on advocacy and capacity building for Indigenous communities in a climate-changed world."

In March 2022, NDN Collective's climate justice team released the report, "Faulty Infrastructure and the Impacts of the Dakota Access Pipeline," which provides an analysis about the safety issues associated with the pipeline and chronicles the lack of due diligence that occurred throughout the planning and construction process. Begay and Frederick worked with contractors and engineers to compose the report, which includes a demand that the Biden administration drain and shut down the pipeline permanently.

"The report is the first to lay out a full and factual timeline of the DAPL process, and by laying out the entirety of the



Photo by a katz/Shutterstock

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process, it became clear that there was a co-conspiracy happening between the Army Corps of Engineers [that granted permission for the construction of the pipeline] and the owners of DAPL,” says Frederick.

Even with the report published, and a full environmental review by the Army Corps of Engineers ongoing, oil continues to be transported through the pipeline. Despite the U.S. government’s refusal to shut the pipeline down, the work of NDN Collective’s climate justice team, who wrote the report, has created a precedent and structure for those who want to fight against the development of projects similar to DAPL down the road.

“We’re now stuck in the regulatory space,” says Begay. “But we can share the knowledge we’ve gained over this process with our partners and community members so that if we have to fight another pipeline, we’ll be that much better at shutting it down.”

Moving forward, NDN Collective’s climate justice team is focused on influencing policymaking at the state and federal levels and building climate-resilient communities through traditional ecological knowledge like executing safe prescribed burns and building low-impact adobe architecture.

“We are giving Indigenous

people the knowledge, skills and tools that will help us prepare better for the shifts we will soon start experiencing in our ecosystem,” says Begay. **Z**

This article was produced by Local Peace Economy, a project of the Independent Media Institute.

Aric Sleeper is an independent journalist whose work, which covers topics including labor, drug reform, food and more, has appeared in the *San Francisco Chronicle* and other publications local to California’s Central Coast. In addition to his role as a community reporter, he has served as a government analyst and bookseller.



Overturn of “Roe” Shows How Extreme an Outlier the U.S. Has Become

Noam Chomsky interviewed by C.J. Polychroniou



CJ. Polychroniou: Noam, as gun massacres continue to plague U.S. society, the question that naturally pops into mind is this: Why is the U.S. government so uniquely bad among developed countries at tackling issues in general that affects people's lives? Indeed, it is not just gun violence that makes the U.S. an outlier. It is also a big outlier when it comes to health, income inequality and the environment. In fact, the U.S. is an outlier with regard to its overall mode of economic, political and social organization.

Noam Chomsky: We can begin by taking note of an important date in U.S. history: June 23, 2022. On that date, the senior Justice of the Supreme Court, Clarence Thomas, issued a decision solemnly pronouncing his country completely unhinged, a threat to itself and the world.

Those were not of course Justice Thomas's words, speaking for the usual 6-3 majority of the reactionary Roberts Court, but they capture their import: In the United States, people may carry a concealed weapon for "self-defense," with no further justification. In no functioning society have people been living in such terror of their fellow citizens that they need guns for self-defense if they're taking a walk with their dogs or going to pick up their children at their (properly barricaded) nursery school.

A true sign of the famous American exceptionalism.

Even apart from the lunacy proclaimed from on high on that historic date, the United States

is a highly unusual society, in many ways. The most important are the most general. In your words, "its overall mode of economic, political, and social organization." That merits a few comments.

The basic nature of the modern state capitalist world, including every more or less developed society, was well enough described 250 years ago by Adam Smith in *Wealth of Nations* and in the Madisonian framework of the Constitution of what was soon to become the most powerful state in world history.

In Smith's words, the "masters of mankind" are those with economic power—in his day, the merchants and manufacturers of England. They are the "principal architects" of government policy, which they shape to ensure that their own interests are "most peculiarly attended to," however "grievous" the effects on others, including the people of England but more severely those subject to its "savage injustice" abroad. To the extent that they can, in every age they pursue their "vile maxim": "All for ourselves, nothing for other people."

In the Madisonian constitutional framework, power was to be in the hands of "the wealth of the nation," men (women were property, not persons) who recognize the rights of property owners and the need to "protect the minority of the opulent against the majority." The basic principle was captured succinctly by the first chief justice of the Supreme Court, John Jay: "Those who own the country ought to govern it." His current successors understand that very well, to an unusual extent.

Madison's doctrine differed from Smith's description of the world in some important respects. In his book *The Sacred Fire of Liberty*, Madison scholar Lance Banning writes that Madison "was—to depths that we today are barely able to imagine—an eighteenth-century gentleman of honor." He expected that those granted power would act as an "enlightened Statesman" and "benevolent philoso-



pher,” “pure and noble,” “men of intelligence, patriotism, property and independent circumstances ... whose wisdom may best discern the true interests of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations.”

His illusions were soon shattered.

In very recent years, the reigning doctrine in the courts has been a variety of “originalism” that would have judges view the world from the perspective of a group of wealthy white male slaveowners, who were indeed reasonably enlightened—by the standards of the 18th century.

A more rational version of “originalism” was ridiculed 70 years ago by Justice Robert Jackson: “Just what our forefathers did envision, or would have envisioned had they foreseen modern conditions, must be divined from materials almost as enigmatic as the dreams Joseph was called upon to interpret for Pharaoh.” That is a saner version than the Bork-Scalia-Alito et al. current version because of the highlighted phrase.

The contortions about “originalism” are of no slight interest. There’s no space to go into it here, but there are a few matters that deserve attention, just keeping to the most dedicated adherents to the doctrine—not the saner version ridiculed by Justice Jackson, but the very recent and now prevailing doctrine, which Jackson presumably would have regarded as too absurd even to discuss.

One issue has to do with the role of historical tradition. In Alito’s decision overturning *Roe v. Wade*, he stresses the importance of relying on historical tradition in determining whether rights are implied in the Constitution (and Amendments). He points out, correctly, that the treatment of women historically gives little basis for according them rights.

In plain words, the history in law and practice is grotesque.

In his decision allowing people to carry concealed weapons to defend themselves in the hideous country he takes the U.S. to be, Thomas also referred to the importance of historical tradition, but he had little to say about it and the actual history undermines his allusions.

In the very important 2008 *Heller* decision, overturning a century of precedent and establishing his new version of the Second Amendment as Holy Writ, Justice Scalia explicitly ignored the entire historical tradition, including the reasons why the Framers called for a well-organized militia. The actual tradition, from the beginning, shows that the Second Amendment was largely an anachronism by the 20th century.

Even putting aside the problem of interpreting Pharaoh’s dreams, the recently established originalist doctrine appears to be rather flexible, though there are some uniform features, as we have seen again in the past few days: The doctrine can be adapted to yield deeply reactionary outcomes that infringe radically on essential human rights.

Justice Thomas emphasized that consistent thread in his concurring opinion in Alito’s decision overturning *Roe v. Wade*. He wrote that “in future cases, we should reconsider all of this Court’s substantive due process precedents, including *Griswold*, *Lawrence*, and *Obergefell*.” These are the cases in which the court upheld the right to privacy in personal life, specifically the right to contraception, same-sex sexual relations and same-sex marriage. As Justice Kennedy put it in his majority opinion in *Lawrence*, what is at stake is the right of people “to engage in their [private] conduct without intervention of the government.”

Thomas agreed with Alito that his majority opinion overturning *Roe v. Wade* did not in itself reach as far as Thomas’s projections, which have a good record of being later af-

firmed. We will soon see.

These issues are of great importance today, as the court is arrogating to itself extraordinary authority to determine how society must function, a form of judicial supremacy that not only has little constitutional basis but should not be tolerated in a democratic society.

The long-term McConnell strategy of packing the courts is casting its dark shadow over American society, not to speak of the prospects for survival.

Turning to the broader social context, one critical feature of the United States is the unusual power of the masters of mankind, by now multinational corporations and financial institutions. It is of great significance that the masters include the wide-ranging energy system: fossil fuel producers, banks and other financial institutions, and corporate law firms who devise legal strategies to ensure that the interests of their paymasters “are most peculiarly attended to.” Their interests are further safeguarded by NATO, the self-described “defensive alliance,” which, when not rampaging somewhere, must fulfill its general post-Cold War mission: “to guard pipelines that transport oil and gas that is directed for the West,” and more generally to protect sea routes used by tankers and other “crucial infrastructure” of the energy system (NATO Secretary-General Jaap de Hoop Scheffer, 2007).

There have been many changes in the past 250 years of course, but these basic principles hold steady. And with consequences of overwhelming importance, right now.

We need not review the evidence showing that we are at a unique moment in history. Decisions that must be made right now will determine the course of future history, if there is to be any. There is a narrow window in which we must implement the quite feasible measures to avert cataclysmic destruction of the environment. The masters of mankind in the world’s most powerful state have been hard at

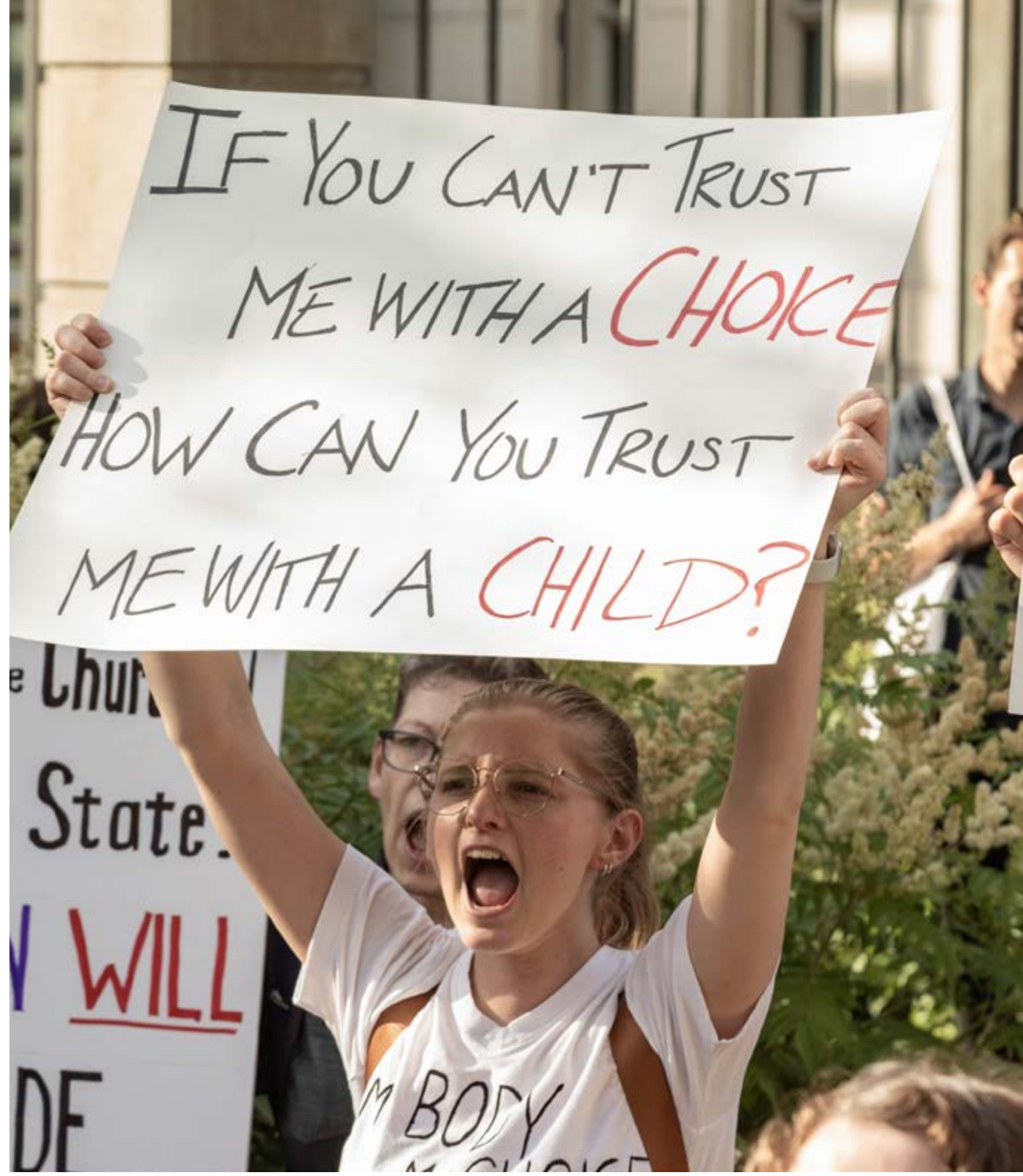
work to close that window, and to ensure that their exorbitant short-term profit and power will remain untouched as the world goes up in flames.

That may sound over-dramatic, too apocalyptic. Perhaps it does sound that way, but unfortunately it is true and not overstated. It is also no secret. We can gain some insight into the process in the lead story in *The New York Times* a few days ago. Energy and environment correspondent Coral Davenport reports the near consummation of the long-time campaign of the fossil fuel industry and its minions in Washington to prevent the government from instituting regulations that would impede its primary goal of profit (with ensuing cataclysm), relying on the Roberts Court to give its imprimatur.

We can dismiss the legalistic chicanery and the comical professions of high principle. The facts are plain and simple. The success of the project of destroying organized human life on earth in the near future is a testimony to the unusual power of the masters of mankind in the U.S.

The project is more ambitious than protection of the immediate interests of the energy system. The Supreme Court will soon deal with the case of *West Virginia v. EPA*, which has to do with “the federal government’s authority to reduce carbon dioxide from power plants—pollution that is dangerously heating the planet.” But that’s only a start, Davenport reports.

Other cases are wending their way through the courts, exploring various legal strategies to achieve the longer-term goal: to prevent the EPA and other regulatory agencies from enacting measures that are not explicitly legislated. That means just about all measures, since Congress cannot possibly reach decisions on the specific contingencies that arise, or even inquire into them. To do so requires the kind of intensive expert analysis by regu-





latory agencies and interaction with the public that the project of the masters seeks to ban. The project translates into carte blanche for private power to do as it wishes. In spirit, this is an extension of the reigning extremist version of originalism and has the same result of favoring the interests of the masters and consigning the rest to deserved oblivion.

It is worth looking into the sources of this unusual power of “those who own the country,” which manifests itself in many ways. One factor is that as the native scourge was eliminated, the conquered territories were viewed as a kind of “blank slate,” with no existing framework of feudal structures. The feudal system, with all its horrors, did assign people some kind of place, however awful, with some rights.

Starting from fresh in a conquered country, individual settlers were on their own. They did have ways to benefit, many at least. The conquered country offered unparalleled advantages: rich resources, vast territory, incomparable security. And like other societies, the U.S. has been blessed with an intellectual class that is eager to extol its real or imagined virtues while suppressing inconvenient reality.

To be sure, for the truly totalitarian mind that is never enough, as we see in current GOP initiatives to suppress books and teaching that might be “divisive” or cause discomfort to (white) students—that is, all of history, everywhere.

The masters are highly organized and have many institutions devoted to their needs, apart from the state that they largely control: trade associations, chambers of commerce, the Business Roundtable, American Legislative Exchange Council (ALEC), many others. When Thatcher and other neoliberal ideologues preach that there is no society, only individuals subject to the market, they understand well that the rich and privileged are ex-

empt.

The efforts of the masters to atomize the rest are pursued with true passion. The traps of mass consumerism are one mode. Another is harsh suppression of labor organizing, the primary means of self-defense during the industrial era. In keeping with the unusually powerful role of the masters, the U.S. has an unusually violent labor history, adopting new modalities during the Reagan-Clinton imposition of the neoliberal programs that have torn society to shreds, not only in the U.S. The independent farmers of the genuine Populist movement of the late 19th century and their dream of a “cooperative commonwealth” met the same fate.

We should not, however, discount the successes. The 19th century struggles to create an independent labor movement based on the principle that “those who work in the mills should own them,” and to link it with the powerful Populist movement, were crushed, but not without a residue.

The struggles continued, with significant successes. Those years also saw the rise of mass education, a major contribution to democracy with the U.S. far in the lead—hence, not surprisingly, a target of the neoliberal assault on rights and democracy. The militant labor movement of the 1930s, rising from the ashes of Wilsonian suppression, led America to social democracy while Europe was succumbing to fascism—processes now being reversed under neoliberal assault. The popular movements of the 1960s forged the way to the establishment of freedom of speech as a substantial right, to an extent unparalleled elsewhere, along with civilizing the society over a broad range. The achievements have been targeted by the neoliberal reaction, but not destroyed.

The struggle never ends.

The U.S. is unusual in other ways. It is, of course, a settler-colonial society like all of the



Anglosphere, the offshoots of Britain, which was the most democratic society of the day, and also most powerful and violent. These features carried over in complex ways to the daughter societies. Despite the efforts of the Framers to contain the threat of democracy, popular pressures expanded it, sufficiently so that the great statesmen of Europe, like Kissinger’s hero Metternich, were deeply concerned about “the pernicious doctrines of republicanism and popular self-rule” spread by “the apostles of sedition” in the liberated colonies, an early version of the “domino theory” that is a ubiquitous feature of imperial domination. King George III was also concerned that the American Revolution might lead to erosion of empire, as it did.

The U.S. has been by far the wealthiest and most powerful state of the Anglosphere, surpassing Britain itself, which was reduced to a “junior partner” of its former colony as the British Foreign Office lamented after World War II when the U.S. took the mantle of global hegemony, displacing Britain and virtually eliminating France. U.S. history reflects that power. It’s hard to find another society that has been almost continuously at war—almost always aggressive war—since its founding.

A major—arguably the major—reason for the revolution was to overturn the British Royal Proclamation of 1763 that prevented the colonists from attacking the Indigenous nations beyond the Appalachian Mountains. The colonists had other ideas in mind, including notorious land speculators like the founder of the country, George Washington, known to the Iroquois as “the town destroyer.”

The brutality of the conquests was hardly a secret. The first U.S. secretary of war, General Henry Knox, described what his countrymen were doing as “the utter extirpation of all the Indians in most populous parts of the Union” by means “more destructive to the Indian natives than the conduct of the conquerors of

Mexico and Peru.” It was soon to become far worse, though not without efforts to conceal it beginning with Jefferson’s infamous passage in the Declaration of Independence denouncing King George for unleashing “the merciless Indian savages” against the peaceful colonists, who wanted only their “utter extirpation.”

On the side, the U.S. picked up half of Mexico in what President/General U.S. Grant called one of the most “wicked wars” of aggression in history, greatly regretting his participation in the crime as a junior officer.

The task was viciously consummated by the end of the 19th century. By then the U.S. was turning to other exercises of violence and subversion too familiar to recount, to the present moment.

All of this has its impact on the prevailing culture. In the light of history, it becomes a little less shocking to see that even after the Uvalde massacre, almost half of Republican voters, mostly from rural traditional white Christian sectors, think that we must accept such horrors as the price of freedom.

The gun culture has other roots of course, some of which we have discussed. There is much more, some brought out in an incisive report by journalist and political analyst Chris Hedges, based partly on his own experience growing up in the rural America that has been crushed by neoliberal globalization, leaving guns as the last residue for men of some illusion of dignity and social role.

We should add that it is still possible to access Hedges’s outstanding work. Most of it was in regular programs on RT, which is now cancelled under the suffocating censorship designed to protect Americans from any awareness of what Russian leaders may be saying or thinking. Some fragments are permitted, those that can be twisted to show that Putin intends to conquer the world. Those versions receive triumphant exposure, but not, say, the



regular negotiation offers, which, while not acceptable, might provide an opening for a diplomatic settlement of the kind that the U.S. government has been dedicated to undermine.

It's been repeatedly said that the U.S. political system is broken and observers decry political polarization in today's Congress. In what sense can we speak of a broken political system when the elites seem to have a strong grip on the policy agenda?

We can put the matter somewhat differently. A political system is broken insofar as the policy agenda is largely in the hands of some sector of power, typically “those who own the country” and therefore have the right to govern it to ensure that their own interests are properly attended to and that the minority of the opulent are well protected.

One effect of the neoliberal assault on the social order has been to amplify the grip of the masters over the political agenda, a natural consequence of the concentration of unaccountable economic power, which is, indeed, impressive. A rough measure is given by the Rand Corporation study that we have discussed earlier, which found that since Reagan opened to doors to highway robbery, almost \$50 trillion have been “transferred” from the working and middle classes to the super-rich. That has proceeded alongside of the tendency towards monopolization that results from deregulation, spurred further by the highly protectionist measures of the “free trade agreements” of the Clinton years.

Harvard economists Anna Stansbury and Lawrence Summers attribute the sharp concentration of wealth in the past 40 years primarily to the assault on labor, initiated by Reagan (and Thatcher in the UK), carried forward in Clintonite neoliberal globalization. In their words, “Declining unionization, increasingly demanding and empowered shareholders, de-

creasing real minimum wages, reduced worker protections, and the increases in outsourcing domestically and abroad have disempowered workers with profound consequences for the labor market and the broader economy”—and as an immediate consequence, a stronger grip by the masters on the policy agenda.

The decline of functioning democracy is not limited to the U.S. The impact on the social order of 40 years of bitter class war—the operative meaning of “neoliberalism”—is starker in the U.S. because of the relative weakness of the social protections that are the norm elsewhere, even such elementary matters as maternal care, found everywhere apart from the U.S. and a few Pacific islands. The most dramatic of these social failures is the scandalous privatized health system, with almost twice the costs of comparable societies and some of the worst general outcomes. (The rich are spared.)

Specific illustrations are startling. One recent study found that the “fragmented and inefficient” U.S. health care system was responsible for 212,000 COVID deaths in 2020 alone, along with over \$105 billion in extra medical expenses in addition to the nearly \$440 billion of extra expenses in normal years, all avoidable with universal health care.

These deficiencies go back many years, despite the very substantial improvements of the New Deal policies that have been under neoliberal attack. The pandemic has brought to light starkly the lethal nature of the business model that has been imposed during these destructive years. The outcome is aptly described by political economist Thomas Ferguson: “the pandemic shined a terrible, unforgiving light on how fragile a globalized world really is. ‘Just in time’ production, off-shoring, transnational supply chains, and the hollowing-out of firms as they degraded workers into external contractors with lower wages and fewer benefits produced fatally

brittle social systems. As the pandemic spread and transnational supply chains broke down, the cumulative impact of more than a generation of steady government cuts in taxes, safety nets, education, and—above all—health care became overwhelming. Virtually every country became paralyzed for a while. In the United States, the United Kingdom, and many developing countries, I think we will eventually recognize that the pandemic actually broke their social systems. As pandemic relief fades from memory and the gruesome toll of delayed deaths, long Covid, substance abuse, and mental health problems climbs higher and higher, the true dimensions of the havoc the pandemic wrought, not least on the U.S. labor force, will stand out more clearly.”

Ideologues whose arrogance far exceeds their understanding have played a very dangerous game with the international social order for the past 40 years, not for the first time in human history. Those who gave the orders—the masters of mankind—may exult about their short-term gains, but they too will rue the havoc they have wrought.

The polarization you mention is very real, but the term is somewhat misleading. The Republican Party has been going off the rails ever since Newt Gingrich took control of Congress in the Clinton years. A decade ago, political analysts Thomas Mann and Norman Ornstein of the American Enterprise Institute observed that the growing polarization is “asymmetric.” The Democrats have not shifted greatly, but “The Republican Party has become a radical insurgency—ideologically extreme, scornful of facts and compromise, and dismissive of the legitimacy of its political opposition.”

By then, Mitch McConnell, the real evil genius of the radical insurgency, had firm grasp of the reins. The course to destruction of democracy took a further leap forward under Trump and has since reached a quite astonishing level.

The Texas Republican Party, which is at or near the radical extreme of the GOP, has just called virtually for secession. Its June 2022 Convention determined that Biden “was not legitimately elected,” so Texas is free to ignore decisions of the federal government. Going further, the Texas Republican Party condemns homosexuality as an “abnormal lifestyle choice,” calls for schools to teach that life begins at birth, and roundly condemns any restriction on guns, arguing that those under 21 are “most likely to need to defend themselves” and may need to quickly buy guns “in emergencies such as riots,” while claiming that red flag laws violate the due process rights of people who haven’t been convicted of a crime.

Texas may be leading the radical insurgency, but not by much. Some 70 percent of Republicans hold that the 2020 election was stolen and that Trump is the legitimate president. Half of Republicans believe that “top Democrats are involved in elite child sex-trafficking rings.”

A large majority think that “the Democratic Party is trying to replace the current electorate with voters from poorer countries around the world,” and there are other fantasies that would be hard to believe in a normal country.

That’s the Republican voting base, after half a century of refinement of the Nixon “Southern strategy.” The leading idea is to divert attention of voters from GOP dedication to the reinforcement of the Vile Maxim to “cultural issues” that can be exploited to make political capital of the justified resentment and anger elicited by the policies being instituted, the class war of the neoliberal years.

Admiration of this achievement of the masters is somewhat tempered by the fact that the new GOP was pushing an open door. By the 1970s, the Democrats had pretty much abandoned concern for working people and the poor, openly becoming a party of affluent





professionals and Wall Street: the Clintonite party managers and the kind of people who attended Obama’s lavish parties.

There is, then, polarization. The Republican leadership became a radical insurgency while across the aisle the leadership found their own more moderate ways to join the class war.

That’s the leadership. The public, as usual, has not been silent. On the Democratic side, there has been a revival of New Deal-style social democracy, sometimes beyond, invigorated by the impressive work of Bernie Sanders. On the Republican side it has, unfortunately, descended to a form of Trump worship, reminiscent to an extent of the Hitler worship of 90 years ago.

A new report from researchers at Yale and Columbia Universities shows that the U.S. has fallen behind on climate goals, thanks to four years of Trump in power. Yet, the Biden administration itself is falling quite short on the climate crisis. With that in mind, and given the nature of the U.S. political system, how do we move forward in the fight against global warming?

This is the most important issue of all, for reasons it should be unnecessary to review. To repeat, there are still opportunities to save us from our folly, but the window is not wide, and it is rapidly closing.

The Trump years were an utter catastrophe for the world. Furthermore, the GOP became a denialist party well before Trump, ever since the Koch energy conglomerate brought a quick end to its brief recognition of reality under McCain. The last Republican primary was in 2016, before the Republican Party was taken over by Trump. The candidates were the cream of the crop of the GOP. At the time they were not only all opposed to Trump but were scandalized by him.

Uniformly, the candidates said that what

is happening is not happening, with two exceptions. Jeb Bush said that maybe it is but it doesn’t matter. Ohio Gov. John Kasich was alone in saying that of course global warming is happening, and humans have a significant role. He was praised for that, but mistakenly, because of what he added. Yes, the climate is being destroyed, but we in Ohio will continue to produce and use coal freely and will not apologize for it.

That’s the GOP before Trump took it over. It’s the GOP that is likely to be running the most powerful state in history very soon.

Under activist pressure, Biden adopted a climate program that was inadequate given the severity of the crisis but was a long step beyond anything that had preceded, and if implemented, would have had some positive effects and granted some time to move beyond. McConnell obstructionism put an end to that, with the help of a few right-wing Democrats, primarily coal baron Joe Manchin, the leading congressional recipient of fossil fuel funding.

More generally, all of the positive Biden programs, mostly crafted by Sanders, met the same fate. Discussion of this tragedy for the country mostly focuses on the few Democrat collaborators, but the real story is GOP obstruction. Quite unfairly, Biden is criticized for the failure to implement his program. Yes, he could have done more, but the blame falls on the radical insurgency.

The political factions dedicated to destroying organized life on Earth—not an exaggeration—are only apparently “the principle architects of policy.” Behind them are the masters of mankind. The Koch conglomerate intervention was a vulgar illustration. The processes are more pervasive.

One major program is reaching a dread consummation, as discussed earlier. It received a shot in the arm from the increase in gasoline prices, the major contributor to inflation, accelerated by Putin’s criminal invasion of

Ukraine. The euphoria in the executive offices of the fossil fuel companies is matched only in the offices of weapons producers. They no longer have to face the annoyance of fending off environmental activists. They are now praised for pouring poisons into the atmosphere and urged to do more, accelerating the march to destruction.

In a sane world the reaction would be different. We would seize the opportunity to move more rapidly to sustainable energy to save coming generations from a miserable fate. The temporary problem of inflation is severe, and can be overcome for those suffering from it by fiscal measures, and beyond. Options reach as far as turning the fossil fuel producers into a public utility. Robert Pollin has shown that they could literally be purchased by the government for a fraction of the sums that the Treasury Department poured into compensating financial institutions for losses during the early stages of the pandemic.

That's hardly unprecedented. Second World War measures came close to that in practice. That was of course total war, but today's crisis is even more severe, far more so in fact.

There are recent precedents. In 2009, the U.S. auto industry was on the verge of collapse. The Obama administration virtually nationalized it, paid off its losses, and returned it to the former ownership (with some new faces) so that it could continue with what it had been doing before.

There was another possible choice, had there been popular backing: Turn the industry to a new task. Instead of creating traffic jams and poisoning the atmosphere, produce what the country needs—efficient mass public transportation based on renewable energy, a better life for all and for the future. And a different ownership was imaginable: perhaps the workforce and community, something resembling democracy. There are many options. We are not limited to those that cater to the

existing energy system and the grim fate that it is designing for the human species, quite consciously, with meticulous planning. **Z**

C.J. Polychroniou is a political scientist/political economist, author, and journalist who has taught and worked in numerous universities and research centers in Europe and the United States. His latest books are *Optimism Over Despair: Noam Chomsky On Capitalism, Empire, and Social Change* (2017); *Climate Crisis and the Global Green New Deal: The Political Economy of Saving the Planet* (with Noam Chomsky and Robert Pollin as primary authors, 2020); *The Precipice: Neoliberalism, the Pandemic, and the Urgent Need for Radical Change* (an anthology of interviews with Noam Chomsky, 2021); and *Economics and the Left: Interviews with Progressive Economists* (2021).



During late April and early May, South Asia experienced the terrible impacts of global warming. Temperatures reached almost 50 degrees Celsius (122 Fahrenheit) in some cities in the region. These high temperatures came alongside dangerous flooding in Northeast India and in Bangladesh, as the rivers burst their banks, with flash floods taking place in places like Sunamganj in Sylhet, Bangladesh.

Saleemul Haq, the director of the International Center of Climate Change and Development, is from Bangladesh. He is a veteran of the UN climate change negotiations. When Haq read a tweet by Marianne Karlsen, the co-chair of the UN's Adaptation Committee, which said that "[m]ore time is needed to reach an agreement," while referring to the negotiations on loss and damage finance, he tweeted: "The one thing we have run out of is Time! Climate change impacts are already happening, and poor people are suffering losses and damages due to the emissions of the rich. Talk is no longer an acceptable substitute for action (money!)" Karlsen's comment came in light of the treacle-slow process of agreement on the "loss and damage" agenda for the 27th Conference of Parties or COP27 meeting to be held in Sharm el-Sheikh, Egypt, in November 2022.

In 2009, at COP15, developed countries of the world had agreed to a \$100 billion annual adaptation assistance fund, which was supposed to be paid by 2020. This fund was intended to assist countries of the Global South to shift their reliance on carbon to renewal sources of energy and to adapt to the realities of the climate catastrophe. At the time of the Glasgow COP26 meeting in November 2021, however, developed countries were unable to

meet this commitment. The \$100 billion may seem like a modest fund, but is far less than the "Trillion Dollar Climate Finance Challenge," that will be required to ensure comprehensive climate action.

The richer states—led by the West—have not only refused to seriously fund adaptation but they have also reneged on the original agreements, such as the Kyoto Protocol (1997); the U.S. Congress has refused to ratify this important step toward mitigating the climate crisis. The United States has shifted the goalposts for reducing its methane emissions and has refused to account for the massive output of carbon emissions by the U.S. military.

Germany's Money Goes to War Not Climate

Germany hosts the secretariat of the United Nations Framework Convention on Climate Change. In June, as a prelude to COP27, the UN held a conference in Bonn on climate change. The talks ended in acrimony over finance for what is known as "loss and damage." The European Union consistently blocked all discussions on compensation. Eddy Pérez of the Climate Action Network, Canada, said, "Consumed by their narrow interests, rich nations and in particular countries in the European Union, came to the Bonn Climate Conference to block, delay and undermine efforts from people and communities on the frontlines addressing the losses and damage caused by fossil fuels."

On the table is the hypocrisy of countries such as Germany, which claims to lead on these issues, but instead has been sourcing fossil fuels overseas and has been spending increasing funds on their military. At the same time, these countries have denied support to

\$2 Trillion for War Versus \$100 Billion to Save the Planet

By Murad Qureshi



developing countries facing devastation from climate-induced superstorms and rising seas.

After the recent German elections, hopes were raised that the new coalition of the Social Democrats with the Green Party would lift up the green agenda. However, German Chancellor Olaf Scholz has promised €100 billion for the military, “the biggest increase in the country’s military expenditure since the end of the Cold War.” He has also committed to “[spending] more than 2 percent of the country’s gross domestic product on the military.” This means more money for the military and less money for climate mitigation and green transformation.

The Military and Climate Catastrophe

The money that is being swallowed into the Western military establishments does not only drift away from any climate spending but also promotes greater climate catastrophe. The U.S. military is the largest institutional polluter on the planet. The maintenance of its more than 800 military bases around the world, for instance, means that the U.S. military consumes 395,000 gallons of oil daily. In 2021, the world’s governments spent \$2 trillion on weapons, with the leading countries being those who are the richest (as well as the most sanctimonious on the climate debate). Money is available for war but not to deal with the climate catastrophe.

The way weapons have poured into the Ukraine conflict gives many of us pause. The prolongation of that war has placed 49 million more people at risk of famine in 46 countries, according to the “Hunger Hotspots” report by the United Nations agencies, as a result of the extreme weather conditions and due to conflicts. Conflict and organized violence were

the main sources of food insecurity in Africa and the Middle East, specifically in northern Nigeria, central Sahel, eastern Democratic Republic of Congo, Ethiopia, Somalia, South Sudan, Yemen and Syria. The war in Ukraine has exacerbated the food crisis by driving up the price of agricultural commodities. Russia and Ukraine together account for around 30 percent of the global wheat trade. So, the longer the Ukraine war continues, the more “hunger hotspots” will grow, taking food insecurity beyond just Africa and the Middle East.

While one COP meeting has already taken place on the African continent, another will take place later this year. First, Abidjan, Côte d’Ivoire, hosted the UN Convention to Combat Desertification in May and then Sharm el-Sheikh will host the UN Climate Change Conference. These are major forums for African states to put on the table the great damage done to parts of the continent due to the climate catastrophe.

When the representatives of the countries of the world gather at Sharm el-Sheikh, Egypt, in November 2022 for COP27, they will hear Western representatives talk about climate change, make pledges, and then do everything possible to continue to exacerbate the catastrophe. What we saw in Bonn is a prelude to what will be a fiasco in Sharm el-Sheikh. **Z**

This article was produced by Globetrotter.

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Is an insurrection percolating in the MAGA universe? A civil war?

One thing I notice as I read the growing warnings that this is the case is the assumption that suddenly the U.S. has become a divided nation, a splintered democracy, when, in point of fact, it has always been deeply—and for much of its history, good God, legally—divided.

Indeed, Jim Crow America was the prime model for a certain would-be European dictator.

You may have heard of Adolf Hitler. In *Mein Kampf*, the biography he wrote before he came to power, he “praises America,” according to Alex Ross, writing in the *New Yorker*, “as the one state that has made progress toward a primarily racial conception of citizenship,”

And history.com, citing James Q. Whitman’s book, *Hitler’s American Model*, points out that two laws passed by Nazi Germany in 1935—the Reich Citizenship Law and the Law for the Protection of German Blood and German Honor, known collectively as the Nuremberg Laws, which laid the legal groundwork for the Holocaust—were inspired by U.S. law at the time.

“America in the early 20th century was the leading racist jurisdiction in the world,” writes Whitman. “Nazi lawyers, as a result, were interested in, looked very closely at, (and) were ultimately influenced by American race law.”

OK, the country has been changing over the years, but its blatantly racist history cannot be ignored. Excuse me, yes it can. Just attach some academic name to it—how about Critical Race Theory?—and start stoning it to death. The problem, from the MAGA point

of view, is that this isn’t enough, bringing up the point political scientist Barbara F. Walter made in a recent *Washington Post* interview.

Walter, who has studied and written about the causes of modern civil wars around the world, cites several factors precipitating an attempted governmental takedown. One of them is the coming together of groups who begin organizing, not around complex issues, but “almost exclusively around identity: ethnic, religious or racial identity.” You know: We’re better than you.

This is different from, for instance, the civil rights movement, the women’s rights movement, the environmental movement, all of which were focused on complex institutional change—on inclusion and awareness rather than me vs. you. Their aim was and is the creation of fairer, more sustainable social structures, and they have had an impact over the last half century or so—which is part of the problem, from, say, the January 6 insurrectionists’ point of view. The goal of that insurrection wasn’t complex social change. The goal was getting Joe Biden’s ass out of the White House and reinserting the MAGA monarch, Donald Trump.

America was born as a slaveholding, racist country. African Americans, whether slave or free, were three-fifths human. It was also sexist. Women couldn’t vote; their job options were limited, keeping them financially dependent on men. They certainly weren’t allowed to choose to get a medically safe abortion if they got pregnant (they always had the back alley, of course). While these realities began changing politically and legally in the 1950s and 1960s, they remained psychologically embedded in part of the country. As I have previously noted, this remains the national divide, defined with a razor cut across the soul. White supremacists fear their racism is being taken away.

So it’s no surprise that an insurrection is

White Supremacists Want ‘Their’ Country Back

By Robert C. Koehler



brewing. The insurrection has already, seemingly, captured the Republican Party, whose members have either shrugged their shoulders at the January 6 melee or participated in it. And while the Republican-controlled Supreme Court has repealed *Roe v. Wade*, shattering women's choice and reclaiming legal control over their bodies, the Court, along with Congress, have relaxed legal interference in gun rights and the availability of military-grade weapons.

Civil war! Civil war!

So are we looking at the collapse of the American democracy? Well, ironically, those who are in the process of helping it collapse think so. The *New York Times* recently quoted none other than Donald Trump, who delivered the keynote address at the Faith and Freedom Coalition's annual Road to Majority conference last month.

"The greatest danger to America is not our enemies from the outside, as powerful as they may be," he said. "The greatest danger to America is the destruction of our nation from the people from within. And you know the people I'm talking about."

Uh, the January 6 mob? Apparently, he meant the Democrats. And others tossed further big-screen glory at the situation: "The backlash is coming," Sen. Rick Scott of Florida said. "Just mount up and ride to the sounds of the guns, and they are all over this country. It is time to take this country back."

His words conjured up not just the Oath Keepers and Proud Boys, but also at least some of the country's mass murderers, who have taken it upon themselves to make grocery stores white again, to start eliminating people of color, "illegal aliens" and such.

As Katherine Stewart put it in the *New York Times* story: "Christian nationalism isn't a

route to the future. Its purpose is to hollow out democracy until nothing is left but a thin cover for rule by a supposedly right-thinking elite, bubble-wrapped in sanctimony and insulated from any real democratic check on its power."

The only positive I see in all this is the fact that the participants feel a need to "take the country back." **Z**

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