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How the Kansas Abortion Vote Offers Lessons for Economic Justice

By Sonali Kolhatkar

Progressive activists and organizers are eyeing lessons from the resounding

victory for abortion access in Kansas where nearly 60 percent of voters recently defeated a ban on the politicized medical procedure. Now, the Fairness Project hopes that state-by-state ballot measures can restore the reproductive right to an abortion that the Supreme Court stripped away earlier this year. Such measures can also achieve economic justice victories like increasing the minimum wage and expanding access to paid sick and family leave. At a time when the GOP

has political control of a majority of state legislatures and has imposed its preference for strict control of uteruses and lax control of firearms, low wages for the poor and low taxes for the rich, the ballot measure process may be a powerful direct-democracy solution. Kelly Hall, executive director of the Fairness Project, says that “Kansas is a classic example of the large distance between where the voters and the electorate are, and increasingly where their more

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extremist legislators are.” It was conservative legislators who placed the abortion ban on the ballot in Kansas—not anti-abortion activists—thinking they could solidify in their state the federal anti-abortion victory won at the Supreme Court in the *Dobbs* decision. Kansas voters proved them wrong.

“What happened in Kansas could be mirror-replicated in states around the country,” says Hall. Indeed, reproductive justice activists in Michigan are hoping to repeat the success of the Kansas vote. They have gone on the offensive and put a ballot measure to voters in order to enshrine abortion access in their state before a trigger law banning abortion can take effect. Advocates of the measure are counting on voters’ common sense prevailing over legislators’ political theater.

Could the political disconnect between state legislators and voters manifest in similar ballot measures, circumventing conservative, anti-democratic political agendas on other issues? Hall says, “When voters in ‘red’ states have been asked to vote on Medicaid expansion, or raising the minimum wage, or ending predatory payday lending, or things that are often associated with the Democratic Party or the progressive wing of the political

spectrum... voters vote yes.”

Recall Florida’s 2020 minimum wage increase via a ballot measure. In the same state where Republicans have strong political control over the legislature and Gov. Ron DeSantis emerged as both a supporter of former president Donald Trump and a potential political successor, voters passed a measure increasing the minimum wage to \$15 per hour by 2026. Granted, this is a paltry increase. But the fact that voters chose to raise the wage at the same time that they picked Trump for president suggests that on some issues—such as economic justice or even abortion—direct democratic control via ballot measures can be a way to break the political partisan gridlock and further a progressive agenda.

The Fairness Project is “much more focused on citizen-initiated ballot measures” like the Florida wage increase, says Hall, rather than measures put on the ballot by legislators like the abortion ban in Kansas. “We support people coming together, advocates coming together, and doing something that their legislative bodies otherwise will not do,” says Hall.

Already the organization has helped to win wage increases in numerous states. As per a December 2021 news release, “Nine victories

raising the wage have come directly from ballot measures or state legislation passed in response to voter-driven initiatives supported by the Fairness Project in the last five years.”

The Fairness Project has also won numerous victories on Medicaid expansion in various states, undermining GOP-led propaganda against President Barack Obama’s 2009 Affordable Care Act. Hall touts the “six successful citizen-initiated ballot measures in places from Idaho, to Oklahoma, to Missouri, to Maine,” where voters overrode their representatives to expand Medicaid access for low-income residents.

It’s not as simple and straightforward as putting matters before electorates and expecting them to vote in their own interests, however. Kansas voters didn’t just pick the right to an abortion because they thought sensibly about it. Advocates of abortion access worked hard to promote messaging they knew would appeal to voters across the political spectrum. “We believe every Kansan has a right to make personal health care decisions without government overreach,” Jae Gray, an organizer for Kansans for Constitutional Freedom, told the *Washington Post*. Gray explained, “that’s obviously a conser-

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vative-friendly talking point. We were not just talking to Democrats.”

Hall agrees, saying, “There is a lot of hope to be seen on Kansas.” But she maintains that “we need to be looking at this through a nonpartisan lens, through a bipartisan lens, and have odd bedfellows coalitions bringing together nonpartisan messages to voters if we want to put this stuff on the ballot.” This means progressives should not dismiss those voters who are subjected to aggressive messaging and narratives from conservative politicians and media outlets against basic matters of fairness.

In fact, polls conducted ahead of the Kansas abortion vote did not predict victory for abortion rights. Hall says, “the analysis that was done to predict how voters would vote was based purely on their partisan affiliation and whether or not they voted for Democrats or Republicans in the last presidential election.”

It is indeed possible to convince even conservative voters that wages need to rise and that health care should be accessible to all without government controls. The Kansas victory was achieved because abortion advocates “very successfully separated the issue they were asking voters to vote on from partisan identities,” says Hall. “And that

has been the [secret to the] success of many other progressive-leaning issue ballot measures in what are usually considered ‘red’ states.”

There are limits to using ballot measures for change. Not all states offer voters the chance to circumvent legislators, and, according to Hall, only 22 out of 50 states in the nation currently have ballot measure processes. And, as such avenues become more useful in enacting progressive measures, state legislators could limit them. Already Florida’s DeSantis responded to the voter-led increase in the state minimum wage by enacting restrictions on out-of-state contributions and gathering petition signatures for future ballot measures. In doing so, DeSantis has all but ensured that only the state legislature will have the ability to put matters directly before voters.

“There’s plenty of ways to make a difference in this world,” says Hall. Her organization has chosen to focus on ballot measures and is working to “help local advocates at the state level and the municipal level know how the ballot measure works, how they can wield it, and support them.” That support is both financial and advisory so that “when progressives put these issues on the ballot, they win.” Z

Sonali Kolhatkar is the founder, host and executive producer of “Rising Up With Sonali,” a television and radio show that airs on Free Speech TV and Pacifica stations. She is a writing fellow for the Economy for All project at the Independent Media Institute.

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Woke Capitalism & The Good-Doing Elite

By Thomas Klikauer

Despite the recent war on wokeness, woke capitalism is still with us and it is asking us to remain alert—to remain watchful about capitalism, and to keep an eye on its overpaid and private-jet flying good-doing elites who are trying to tell us capitalism as the most wonderful idea ever—the most efficient system to distribute goods and services.

The idea of being woke or wokeness transfers the African-American term woke meaning “to be alert” about racism and racial prejudice—to capitalism. Yet, woke cap-

italism is a particular form of capitalism. To smokescreen the pathologies of capitalism, woke capitalism sets up the hallucination that there is something like corporate morality—a contradictory term or tautology. Yet, woke capitalism has the power to sabotage democracy.

The apostles of woke capitalism now apply woke to business corporations that publicly support seemingly socially progressive causes that, in turn, always support—but never challenge—capitalism. Hence, the ideology of woke capitalism depicts corporations—especially multinationals—that align themselves with “some” social movements as “good corporations.” It uses that alignment to spread pro-business publicity and corporate advertising.

In reality, these mega-corporations and their corporate PR are engaging in woke washing—a marketing and public relations exercise whereby companies hope that by being associated with progressive political causes, they will gain customer support and, ultimately—commercial gain, the weasel word for corporate profits.

This goes to the core of what woke capitalism is. It is a seemingly progressive version of capitalism that uses corporate PR—as well

as ideologies like corporate social responsibility (CSR), business ethics, and corporate citizenship—to frame corporations in a positive light.

In other words, woke capitalism and woke corporations are about corporate public relation or corporate propaganda. The goal is to make corporations and corporate capitalism acceptable to us. German philosophers Adorno and Horkheimer called this mass deception. It is what writer Enzensberger called the Consciousness Industry using what Herman and Chomsky diagnosed as propaganda. The ultimate destination of all this is Media Capitalism.

Meanwhile, conservatives fear that corporate executives are actually serious about their wokeness. Even worse, they worry that CEOs might pursue woke causes at the expense of what should be the true purpose of their business which are making profits, short-changing workers, and destroying the environment while making all this look good.

Of course, on all of this, the ultimate quote on corporate social responsibility remains Milton Friedman’s 1970’s classic that states, the social responsibility of a business is to increase its profits. And—of course the mastermind of neoliberal ideology continued

with, to make as much money as possible. Occasionally, even staunch neoliberals can speak the truth. To camouflage the truth, almost any corporate voice will speak a sound bite-sized version of morality.

Perhaps the truth behind the corporate use of business ethics, corporate social responsibility, etc. and woke capitalism was once expressed by none other than Marx (1867). Marx was indeed hitting the nail right on the head in *Das Kapital*, when stating, a certain

- 10%, will ensure its employment anywhere;
- 20%, certain will produce eagerness;
- 50%, positive audacity;
- 100%, will make it ready to trample on all human laws;
- 300% and there is not a crime at which it will scruple, nor a risk it will not run, even to the chance of its owner being hanged. If turbulence and strife will bring a profit, it will freely encourage both. Smuggling and the slave trade have amply proved all that is here stated.

This has not changed since the days of Karl Marx. What has changed under woke capitalism, however, is that the real danger is not that woke





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capitalism will weaken the capitalist system. Rather, it will further cement the concentration of political power among a corporate elite. Yet, woke capitalism will also assist the corporate elite in pretending that the corporate elite is perceived as a good-doing elite.

One should be very clear about woke capitalism. In the name of democracy and humanity—and for the benefit of the many—woke capital-

ism must be resisted. There are plenty of examples on how woke capitalism works. One most instructive example comes from Australia’s 2020 bushfire.

During that, mining magnate and \$18 billion-man (\$18,000,000,000) Andrew Twigg Forrester promised a donation of A\$70 million (70,000,000) to bushfire relief. Yet of the A\$70 million, \$10 million went directly to bushfire victims, and the

same amount was given to fund an army of helpers.

The remaining \$50 million went to research in so-called fire mitigation to be conducted by his very own Minderoo Foundation. The entire setup raised questions about whether the findings would need to align with their boss’ interests. In other words, Twigg spent \$20 million—1/900th of his wealth—on bushfire relief. This is woke capitalism.

It is not at all surprising to

see that woke capitalism is the dominant motif at Davos—the private-jet-setting meeting of the global do-good-elites. Meanwhile, corporations are playing a PR trick on the public by appearing progressive while gaining considerably from economic policies, especially corporate tax cuts and neoliberal deregulation—read: pro-business regulation.

Worse, corporations even come up with the ultimate

Orwellian term: performative wokeness which basically means manipulating the political system in their own favor. Evil heretics know this as corporate lobbying—a \$3.5bn global industry that produces nothing except corporate PR.

At the same time, what is sold as corporate social responsibility is designed to forestall giving the government cause to intervene into corporations. It weakens state

regulations while giving corporations more power. The PR trick of woke capitalism is also useful so that when it comes to paying tax, there is one rule for the super-rich and big companies and another for ordinary people.

Beyond all this, woke capitalism is primarily about corporate power: it involves breaking the chain that has long been connected to liberal democracy and capitalism, so that corporations can



continue on the path of global domination in the political, as well as the economic realm.

In other words, woke capitalism is dressed in progressive sheep's clothing while remaining wedded to long-term corporate interests, as well as capitalism. Yet, woke capitalism and corporate social responsibility are not the same. What makes woke capitalism different from the ideology of corporate social responsibility and business ethics is that it is about four things:

- a) legitimizing capitalism and the domination of managers, corporate apparatchiks, CEO, etc.;
- b) preventing emancipation and the revolt of workers;
- c) the prevention of regulation with raising corporate taxes potentially one of the worst for capitalism; and finally,
- d) and about preventing any direct takeover of democracy.

Overall, woke capitalism remains a rather defensive move. It is designed to preserve—if not enhance—a status quo where corporations hold an increasing share of political power. Furthermore, corporate philanthropy—another ideology highly supportive of capitalism and funding the toolbox of works councils—remains a truly fantastic way to divert atten-

tion away from capitalism's systemic pathologies—environmental vandalism, global poverty, and rising inequalities. Simultaneously, it casts CEOs and billionaires as the good guys.

Yet, we might like to remember that paying tax is the main way that corporations can contribute to society. Paying taxes is the corporate social responsibility of corporations. However, that is exactly what corporations do not want to do. Hence, they use fancy ideologies like woke capitalism, corporate social responsibility, business ethics, corporate citizenship, and philanthropy etc.

Jeff Bezos's Amazon Corporation is a prime example. In the decade to 2019, Amazon paid a microscopic \$3.4 billion in taxes. Yet, it earned revenue of \$960 billion. This is a rather laughable tax rate of 12.7% compared with the standard corporate tax in the U.S. of 35%. Even better, in 2018, Amazon paid no corporate tax in the U.S. whatsoever despite earning profits of \$11 billion. Simultaneously, profits in 2019 were US\$13 billion but the effective tax rate was just 1.2%.

Meanwhile, warehouse workers in Britain were urinating in bottles rather than going to the toilet, so that they did not miss their performance targets or were not

disciplined for being idle. Amazon's horrendous work conditions, its stratospheric profits, and despotic management regimes signify the contradictions of woke capitalism.

On the one hand, corporations like Amazon pretend to support social and political causes that many would see as progressive like climate change, poverty alleviation, education, same-sex marriage, human rights, etc. On the other hand, Amazon—like many business organizations—displays the usual corporate pathology, the normal capitalist greed, inhumanity and dehumanization, as well as exploitation.

Yet, one of the reasons for this is—not to make the world a better place as the apostles of woke capitalism frequently announce so happily—but to preserve and if possible, even enhance the status quo that has made them extremely rich. By shifting taxes onto philanthropy, lobbying governments for pro-business regulation, woke capitalist and its corporate apparatchiks in companies and corporations seem to shift democracy—slowly but steadily—towards plutocracy: a government by the rich.

Those who argue that the fundamental tenet of woke capitalism is commercial self-interest and that this is

not at all incompatible with corporate activism are correct. Yet, one of the problems of woke capitalism is that big business bosses have assigned itself the right to represent people even though we—the people—have not chosen or elected them as our political and democratic representatives.

Instead, their corporations are localizations of extreme anti-democracy: no manager is elected. Worse, this political self-appointment is a central feature of woke capitalism today. In the end, woke capitalism remains downright anti-democratic.

Like traditional capitalism's advent since about two centuries ago, woke capitalism too, lives on the self-assigned assumption that those who own capital have the right to control labor—and this means: us. This is the so-called right to manage, also known as managerial prerogative.

Beyond that, one can argue that corporate activism is commercial as much as it is political—it is a marketing strategy geared at the management of corporate values and identity, as well as reputation building.

Although, one might add that this is not really the task of marketing. The task of marketing is to sell products. It is the task of corporate public relation or corporate pro-

paganda. While it might not be marketing's but a corporate PR's task, the outcome is the same: make the global pathologies of capitalism—including woke capitalism—look good, normal, neutral, and acceptable. If done right, corporate PR can achieve the unachievable, namely that we see this as acceptable:

In 1913, the top 1 percent of U.S. income earners took home 18.6 percent of the country's earnings, while the bottom 50 percent acquired a total of only 15.4 percent. Fast forward to 2019 and the situation has worsened: the top 1 percent claim 20.5 percent while the bottom half gets just 12.7 percent.

In the end, we might need to get woke to woke capitalism. Woke capitalism is a public relations stunt that makes no difference whatsoever to the corporate self-interest of profit maximization. After all, with woke capitalism, corporations have essentially realized that they have needed to change how they go about pursuing the financial self-interest of their shareholders. If anything, woke capitalism is yet another ideological attempt to sell capitalism as a really nice thing to us.

Unlike 19th century's robber barons, 21st century capitalists depend on the media to a much more significant degree than the robber barons

ever did at their time. Today, capitalism can no longer be thought of without the media. We have entered the age of media capitalism. Woke capitalism is all but another signifier of this development. **Z**

Among Thomas Klikauer's over 800 publications is a book on Media Capitalism.

A Political Tipping Point on Climate and Progressive Change?

By Ted Glick

The human species is on a race to see which tipping point we reach first. One would come about if there is so much destructive disruption of the earth's ecosystems because of the overheating of the atmosphere and oceans that life on earth will be a living hell for those who survive. It would take centuries or millennia before we return to the relatively stable climate we have experienced for thousands of years.

The other tipping point is a political tipping point, a sea change in how seriously humanity as a whole, world-



wide, takes the climate emergency and takes action accordingly.

What happens in the U.S. has a great deal to do with which of these wins out. We are the world's leading greenhouse gas emitter when it comes to cumulative emissions since the industrial revolution began 250 or so years ago. We are also a dominant nation in the world, if not as much as in the past, politically, economically and militarily.

So are we at or approaching such a political tipping point in the U.S. right now? Was the passage of the Inflation Reduction Act (IRA) by Congress, billed by most of the mass media as primarily a climate bill, a bill which will accelerate sufficiently the urgently needed shift from fossil fuels to clean, renewable energy, while opening the way for the kind of progressive changes on a range of issues that will prevent a pro-dirty energy, counter-revolution?

I think it might be, despite its disturbing provisions supporting the fossil fuel industry, particularly oil and gas in the Gulf and Alaska, limited environmental justice provisions, limited support to mass transit, and other weaknesses. There was a lot in the bill which will advance solar and wind energy, electric cars,

battery storage and electric heat pumps for heating and cooling. Without question, these are all sectors of the 21st century economy which must grow as rapidly as possible if we are to avoid full out, escalating climate and societal breakdown. If the IRA becomes a down payment leading toward much stronger and much more consistent legislation at the scale of the crisis, it will have been a definite win.

It looks like the IRA's passage has led the U.S. mass media to be making the connections more frequently between extreme weather events and global heating. That is a big deal, if it continues, which it should if the climate justice and progressive movements keep building the visible and activist mass movements which, indeed, had much to do with the IRA becoming law.

It also looks right now, two months before the November 8 federal elections, that there is a decent chance that the Democrats are going to retain control of the Senate and probably gain at least two seats, neutralizing Manchin and Sinema's poisonous effects that we've seen during the first two years of the Biden Presidency. Since the Supreme Court's misogynist decision overturning *Roe vs. Wade*, there has been a

decided political shift among potential voters which makes it possible that the Democrats could end up controlling not just the Senate but the House.

These extremely important developments will only happen if there is extensive and determined organizing to bring out the progressive and justice vote all over the country. This needs to be done not just by the Democratic Party and its candidates but by others not controlled by the Democrats who understand the critical nature of these next two months electorally.

But there is one more immediate fight which we must also win, and do so this month: the fight to defeat the Dirty Manchin Side Deal, beginning with preventing it being included as part of a "continuing resolution" to keep the government funded which has a September 30 deadline.

Here's how I described what this dirty side deal, supposedly agreed to by Democratic Party leaders, would do in a column I wrote recently: "grease the wheels for the destructive Mountain Valley Pipeline to be built; severely undercut the National Environmental Policy Act; speed up the federal permitting process for proposed fossil fuel projects; undercut the power of the federal courts to make decisions that slow down ap-



provals of fossil fuel pipelines and infrastructure; and more.”

Democratic Party leaders cannot, absolutely cannot, expect people to come out in the numbers needed on November 8 if they put Joe Manchin’s twisted priorities ahead of the priorities of those in environmental justice communities suffering from air, water and land pollution, the futures of our children and grandchildren, and the health of the planet. It would be nothing less than criminal to pass the already-compromised Inflation Reduction Act and then follow it up with an overt pro-fossil fuels bill that would have negative impacts for years to come.

Fortunately the climate justice movement and its allies have been in rapid response mobilizing mode on this issue for the last month. It has been very encouraging to see how many groups have moved quickly to take this issue up, not just climate groups but other groups. All who can do so should make every effort to come, and all of us need to keep up the pressure on House and Senate members until we win.

Yes, the needed political turning point is possible. It may, indeed, be happening as I write. Let’s make it so. **Z**

Ted Glick works with Beyond Extreme Energy and is president of 350NJ-Rockland. Past writings and other information, including about *Burglar for Peace* and *21st Century Revolution*, two books published by him in 2020 and 2021, can be found at <https://tedglick.com>. He can be followed on Twitter at <https://twitter.com/jtglick>.

Is the U.S. Legal System at War With Its People?

By Natalia Marques

The very laws and government agencies created to protect the people in the Unit-

ed States are increasingly being weaponized against those who are often marginalized in society: people of color, the poor, and the working class. In just the last few months, there have been many incidents of this kind of violent abuse of power.

On July 28, the state of Alabama performed a “botched” execution on Joe Nathan James Jr., who journalists believe may have suffered medical malpractice akin to “torture” for hours before his death. On August 12, around midnight, a police officer threatened to kill a Black

pregnant woman during a traffic stop in Florida. On August 18, far-right-wing Governor of Florida Ron DeSantis announced that 20 formerly incarcerated people would be arrested for the crime of voting, as the U.S. severely restricts the right to vote for the tens of millions of former prisoners. Within the same week, three police officers were captured on video brutally beating a homeless man in Arkansas on August 21.

“We’re in a state of genocidal war,” said former political prisoner Jalil Muntaqim to *Peoples Dispatch*. Muntaqim

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was and still is a fighter for Black liberation who spent 49 years in prison, which activists claim was due to his political work as a member of the Black Panther Party and the Black Liberation Army. Alongside the label of political prisoner, Muntaqim also identifies himself as a prisoner of war.

The belief shared by many that the U.S. is at war with a subset of its own people is not a fringe idea. “End the War on Black People” is a policy platform of the Movement for Black Lives, a major organization within the Black Lives Matter movement. “Stop the War on Black America” was a popular slogan in several uprisings against police brutality, from the killing of Michael Brown in 2014 to Amir Locke’s murder in 2022.

In recent months alone, there has been enough evidence to support this belief that the U.S. is waging a war against its people.

Who Polices the Police?

According to the data project Mapping Police Violence, police killed at least 1,144 people in the U.S. in 2021, which is approximately 3 people per day. Every few weeks there is a police murder that triggers mass outrage, such as the killing of Jayland Walker who was

found with more than 60 bullet wounds on his body, or Amir Locke who was killed seconds after waking up, or 15-year-old Brett Rosenau who was burned alive during a botched SWAT-team raid.

Two cases of police brutality have generated outrage recently. In Florida on August 12, police officer Jason DeSue was driving in his car when he told Ebony Washington, a Black mother who was four months pregnant and driving with her three children, to pull over for speeding. Instead of following instructions immediately, Washington waited until reaching a well-lit area to pull over. “It was dark [and I was] with my kids. I felt uncomfortable. I didn’t want to be able to not have anyone else around,” she said afterward in an interview.

DeSue reacted drastically to Washington’s decision. Body camera footage shows DeSue telling her over loudspeakers, “Pull the vehicle over, or I’ll put you into the ground.” Once Washington did finally pull over, DeSue pulled out his gun. He then handcuffed her roughly despite her pregnancy. DeSue eventually released Washington after giving her a ticket for speeding.

Nino Brown, a longtime activist against police brutality and a fighter for the freedom of political prisoners, said, “That this police officer came

at her [Washington] ‘guns blazing’ with his weapon already drawn tells us everything you need to know about how the police treat African Americans in this country: the police operate as a Gestapo force in our communities—they shoot first and ask questions never.”

A video of three Arkansas police officers brutally beating Randall Worcester, taken on August 21, went viral. Despite being the victim of a brutal assault, Worcester was the one charged with “second-degree battery, resisting arrest, refusal to submit, possessing an instrument of crime, criminal trespass, criminal mischief, terroristic threatening and second-degree assault,” according to KARK.

DeSue resigned after drawing scorn for pulling a gun on Washington, and the three officers in Arkansas—Thell Riddle, Levi White, and Zack King—have now been suspended. This is the extent of their accountability thus far, even though some people are demanding criminal charges against the three police officers.

The fact that these officers are facing any punishment at all may be related to the existence of video evidence, which in past cases of police violence, such as in George Floyd’s murder, generated



enough outrage to result in police accountability. Without video evidence, police often take charge of the narrative, labeling brutality with insidious neutral terms such as “officer-involved shooting” rather than “police killing.” Before the video of Floyd’s murder was released to the world, the Minneapolis Police Department press release of May 26, 2020 read, “Man Dies After Medical Incident During Police Interaction.”

Persecution of Prisoners Follows Them to the Grave

There is an untenable double standard of justice for police officers who act with legalized impunity and those they ostensibly protect and serve. Although police rarely face criminal charges for brutality, people who are convicted of a crime, many of whom are racially marginalized and are in deep poverty, are punished mercilessly by the state.

Such is the case for prisoners who face the death penalty, which in the U.S. is most commonly carried out by administering a lethal injection. Although this method appears to be humane, death by lethal injection has been increasingly proven to be a torturous process. As the death penalty comes under more scrutiny,

major pharmaceutical companies such as Pfizer are banning the use of their drugs in lethal injections. As a result, states such as Alabama are turning to lower-quality medications, like midazolam, which according to Robert Dunham, executive director of the nonprofit Death Penalty Information Center, “is not an inappropriate drug to be used for execution purposes.” As Dunham told the Independent, “Studies now show this three-drug process [of lethal injection] is the equivalent to waterboarding, suffocation and being chemically burned at the stake.”

Even beyond the pain and suffering caused by the contents of the lethal injection, corrections departments have botched executions. Journalist Elizabeth Bruenig wrote in the *Atlantic* about how after prisoner Joe Nathan James Jr. was executed using lethal injection, an autopsy revealed that the Alabama Department of Corrections took hours to find an entry point for the injection, torturing James in the process. “My initial impression of James was of someone whose hands and wrists had been burst by needles, in every place one can bend or flex,” Bruenig wrote.

Meanwhile, many of those who were incarcerated at one point may find that their state-sanctioned punishments

are not over yet. This was the case for the 20 people, all formerly incarcerated, who were recently arrested in Florida for so-called voter fraud. As NPR reported, however, “According to court documents, though, some of the 20 individuals told law enforcement officials that they thought they were able to vote when they cast ballots.” (In Florida, voting rights were recently restored to felons except those convicted of murder or a sexual offense cannot vote—the latter point cited by Governor DeSantis in response to criticism of the recent disenfranchisement crackdown.) Desmond Meade, president of the Florida Rights Restoration Coalition, told Democracy Now that Floridians “are now being dragged from their homes in handcuffs because all they ever wanted to do was participate in democracy.” Florida Governor Ron DeSantis bragged about the arrests, stating, “Today’s [August 18] actions send a clear signal to those who are thinking about ballot harvesting or fraudulently voting. If you commit an elections crime, you will be prosecuted to the fullest extent of the law.”

A Cruel Double Standard





DeSantis' words are telling. The so-called "elections crimes" will be "prosecuted to the fullest extent of the law," and yet there is still no word about criminal charges against officers Jason DeSue, Thell Riddle, Levi White and Zack King for the violent crimes of assault and battery they committed. Meanwhile, despite "cruel and unusual punishment" being prohibited as per the Eighth Amendment to the U.S. Constitution, prisoners are enduring torturous executions.

Some argue that torture, execution, imprisonment, and brutality against racially marginalized, poor, and working-class people amounts to war. Some, like Muntaqim, have worked to hold the entire U.S. state accountable for genocide, and have sought to question the legitimacy of the laws and agencies governing the people in the United States. Muntaqim said, "It's important for us to recognize that we, Black people in this country, must seek out other means of survival. Other means of prosperity. Other means from which we can govern ourselves." Z

This article was produced in partnership by Peoples Dispatch and Globetrotter.

Natalia Marques is a writer at Peoples Dispatch, an organizer,

and a graphic designer based in New York City.

Steps Left for Electing Progressives and Defeating Republicans in the Midterms

By Jeff Cohen and Norman Solomon

Almost all the primaries are behind us now, and the current outlook is still grim for the midterm elections this fall. The semi-fascist Republican Party is very well-positioned to win control of the House and has a decent chance of also gaining a majority in the Senate. But demagoguery is not destiny. Progressives can help steer the future in a better direction over the next two months.

An important congressional primary remains—the battle for an open seat in Rhode Island—where the renowned progressive activist David Segal is waging an uphill campaign against corporate Democrats. For 20 years, Segal has been a highly talented organizer—from the local level to federal policy victo-

ries in Washington, DC.

A recent profile by *The American Prospect* was accurate when it headlined Segal as a "populist coalition builder." After stints on the Providence City Council (elected at age 22) and in the state legislature (from age 26), Segal co-founded the stellar online activist group Demand Progress in 2010. It soon gained national acclaim after successful organizing to defend an open Internet against powerful corporate interests.

Whether in elected office or working as a determined activist, Segal has put together formidable grassroots efforts to expand economic justice, defend civil liberties, resist corporate greed and end destructive wars. We've worked with him in coalitions for nearly 20 years, and we're fully confident that no one would be better at navigating the complexities and trapdoors of the House of Representatives. Election Day is Sept. 13.

Looking ahead to the fall, one race stands out in a "purple district" that could go either way. Progressive Michelle Vallejo narrowly won a Democratic primary in South Texas and is now running neck-and-neck against a lavishly funded, Trump-allied, anti-abortion-rights Republican.

Unlike many self-described

If the Republican Party wins control of Congress, political realities will surely get much worse, moving the United States closer to fascism

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progressive candidates this year, Vallejo has a campaign platform that includes forthright positions on foreign policy. “Combating climate change is very much dependent on changing our foreign policy to stop the disproportionate emission contributions from our military and trade deals,” she says. “And most importantly, enough with sending our young people to the frontlines fighting wars for defense contractors and big donors.”

Another notable candidate in a closely contested general election is Jamie McLeod-Skinner, running for a House seat in Oregon. She has already done the country a major service by delivering a primary defeat to Kurt Schrader, one of the worst corporate Democrats now in Congress.

McLeod-Skinner is facing a tough race against a Republican whose website devotes more space to one issue above all others: “Oppose Critical Race Theory.” In sharp contrast to McLeod-Skinner, an activist who has relied heavily on small donations, Oregon Public Broadcasting reported that “the vast majority” of her opponent’s individual contributions “have been at or above \$500 each.”

And then there’s the Senate, where the cunning Mitch McConnell is licking his chops

at the prospect of regaining his role as majority leader so he can thwart any measures toward decency. The latest polling indicates that the most pivotal Senate races are in Arizona, Georgia, Nevada, North Carolina, Ohio, Pennsylvania and Wisconsin.

In Georgia, Sen. Raphael Warnock is running slightly ahead of a Trump-selected ex-football-star, thanks to the GOP candidate’s various scandals, missteps and lies. Another African American will join Democrats in the Senate if Wisconsin Lt. Gov. Mandela Barnes can retire arch-reactionary Ron Johnson. Partly thanks to his serious messaging mishap at a supermarket in a campaign video, Trumpified Dr. Oz is running behind populist Lt. Gov. John Fetterman for Pennsylvania’s open seat.

As progressives look toward November and aim to help out in the most strategic races, two tasks are imperative—to push back against the racist, anti-democratic Republicans, and to push forward for the full progressive agenda that’s popular with the broad electorate, while much of it is not popular with the corporatized Democratic establishment.

The dismal performance of the Democrats running the House and Senate should not be denied—or used as an

excuse to stay out of the upcoming midterm elections. If the Republican Party wins control of Congress, political realities will surely get much worse, moving the United States closer to fascism. Stopping unhinged Republicans will require that often-deplorable Democrats defeat them. Pretending otherwise would be foolish to an extreme. **Z**

Jeff Cohen is co-founder of RootsAction.org, a retired journalism professor at Ithaca College, and author of *Cable News Confidential: My Misadventures in Corporate Media*. In 1986, he founded the media watch group FAIR.

Norman Solomon is the national director of RootsAction.org and the author of a dozen books including *War Made Easy: How Presidents and Pundits Keep Spinning Us to Death*. He is the founder and executive director of the Institute for Public Accuracy.





Humanity's Fate Isn't Sealed — If We Act Now

Noam Chomsky & Robert Pollin interviewed by C.J. Polychroniou

C. J. Polychroniou: Noam, the systemic impacts of the war in Ukraine are enormous and they include economic shocks, food and energy security, geopolitical dimensions, and climate change. With regard to the latter, while it is difficult to make an accurate estimate of the climate impact of the war in Ukraine, it is crystal clear that it hinders current efforts to curb global warming and may even alter long-term strategy on climate action and action plan. How exactly are the war in Ukraine and the climate crisis connected, and why are governments doubling down on coal, oil and gas instead of doubling down on the clean energy transition?

Noam Chomsky: An independent observer looking at the world today might well conclude that it is being run by the fossil fuel and military industries, or by lunatics. Or both.

The scientific literature is harrowing, regularly showing that earlier dire warnings were too conservative and that we are careening towards disaster at a frightening pace. Even without reading the literature, anyone with eyes open can see that nature is saying “enough”: extreme heat, huge floods, devastating drought and severe water crises, large regions of the earth approaching the point where they will soon be uninhabitable.

How are we reacting? The basic character is captured by a clip from the marvelous satir-

ical journal *Onion*—except that it is perhaps even beyond their imagination. It is real. And reported, with disbelief, in the mainstream: “In a paradox worthy of Kafka, ConocoPhillips plans to install ‘chillers’ into the permafrost—which is thawing fast because of climate change—to keep it solid enough to drill for oil, the burning of which will continue to worsen ice melt.”

In his bitter antiwar essays, Mark Twain wielded his formidable weapon of satire against the perpetrators. But when he reached the renowned General Funston, he threw up his hands in despair: “No satire of Funston could reach perfection,” Twain lamented, “because Funston occupies that summit himself.... [He is] satire incarnated.”

What is happening before our eyes is unleashed savage capitalism as satire incarnated. Even Twain would be silenced.

To see what is at stake, consider some basic facts. “Arctic permafrost stores nearly 1,700 billion metric tons of frozen and thawing carbon. Anthropogenic warming threatens to release an unknown quantity of this carbon to the atmosphere.... Carbon dioxide emissions are proportionally larger than other greenhouse gas emissions in the Arctic, but expansion of anoxic conditions within thawed permafrost and soils stands to increase the proportion of future methane emissions. Increasingly frequent wildfires in the Arctic will also lead to a notable but unpredictable carbon flux.”

The carbon flux may be unpredictable in detail, but the resulting devastation is all too predictable in its general outline. How then does unleashed savage capitalism respond? Simple. Let’s employ our best brains to find ways to slow the melting down a little so that we can pour more poisons into the atmosphere for profit, and as a side effect, release those Arctic permafrost stores into the atmosphere more rapidly so as to make life unlivable.

Unfortunately, the observation generalizes.



We find satire incarnate wherever we turn, even in marginal corners. Thus, one argument against solar energy is land use. A real problem, especially in the UK, where golf courses take up over four times as much space as solar power, so we learn from political economist Adam Tooze's invaluable *Chartbook*.

Satire incarnate is just the cutting edge. It brings out dramatically the elements of dominant economic institutions that are lethal if unleashed. It would be hard to conjure up a more fitting epitaph for the species—or more accurately, for the institutions that have become dominant as what we call civilization marches forward.

The Ukraine war finds its natural place in this collective madness. One outcome of Putin's criminal aggression and the consequent sanctions regime is to restrict the fossil fuel flow from Russia on which Europe relies, particularly the German-based system that is its economic powerhouse. Economic consequences for Europe are severe, though not for the U.S., which is largely immune; or for that matter for Russia, which at least for now is profiting handsomely from rising oil prices and has many eager customers outside of Europe.

Europe is seeking alternative sources of oil and gas, a bonanza for the U.S. fossil fuel industry, rewarded with new markets and expansive drilling opportunities to enable it to destroy life on Earth more effectively. And the military industry could hardly be more ecstatic as the killing and destruction mount.

People seem to have a different view. In Germany for example, where 77 percent of the population "believe that the West should initiate negotiations to end the Ukraine war."

One can think of other reasons to bring the horrors to a quick end, but the fate of organized human society is surely one. The Ukraine war has reversed the limited efforts to address the mounting crisis of environmental destruction.

While it should have accelerated efforts to move rapidly towards sustainable energy, that was not the path chosen by the political leadership. Rather, the choice has been to accelerate the race to the abyss.

What should be done at this critical moment is outlined perceptively by economist and political analyst Thomas Palley: "The European Union must build trade and commerce with Russia. That is an economic marriage made in heaven. Russia has resources and needs technology and capital goods. Europe has technology and capital goods and needs resources."

And more generally, "What should be done is a profound recalibration that diminishes the influence of the US in Europe, strengthens the European Union, and aims for inclusion of Russia in the European family as envisaged by President Mikhail Gorbachev in 1990," in his call for a "common European home" from Lisbon to Vladivostok with no military alliances, no victors or defeated, and a common effort to move towards a more just social democratic future—if not beyond.

"Getting there is beginning to look impossible," Palley adds. But accommodation among the great powers must be achieved, and soon, if there is to be any hope for decent survival. The madness of devoting scarce resources to slaughter and destruction when cooperation to meet major crises is an absolute necessity simply cannot be tolerated.

Unleashed savage capitalism is a death sentence for the species. That has long been obvious, even before it reached the level of satire incarnated. The crucial word is "unleashed." The leash should be, and can be, in the hands of those who have higher aims in life than enriching private power and enhancing the political forces that prefer global dominance to the Gorbachev vision.

We should not underestimate the barriers in economic and political realms, and also in the doctrinal systems that articulate and protect

the structures of power. The matter is of particular importance in the U.S., for reasons too obvious to elaborate.

The barriers within the reigning doctrinal system are illustrated in a very revealing current essay in the major establishment journal. The authors are two well-informed foreign policy analysts at the more liberal end of received opinion, Fiona Hill and Angela Stent.

Their article illustrates graphically the extraordinary subordination to official doctrine that confines U.S. elites to an “alternative reality” that has little resemblance to the world. Confined within their self-reinforcing cocoon, they are simply incapable of comprehending the global reaction to their vocation of endless criminality.

Hill-Stent harshly condemn the Global South—most of the world—for its failure to join the U.S. in its profound distress “that Russia has violated the UN Charter and international law by unleashing an unprovoked attack on a neighbor’s territory.” The Global South even sinks so low as to “argue that what Russia is doing in Ukraine is no different from what the United States did in Iraq or Vietnam.”

Hill-Stent attribute this failure to rise to our level of nobility and understanding of global reality to Putin’s machinations. What else could account for such blindness?

Could there be a different reason, for example, the fact that outside the cocoon people actually look at the world and quickly discover that the U.S. is far and away the world leader in violating the charter and international law by unleashing unprovoked attacks—worldwide, even thousands of miles away? And could it be that they see that U.S. aggression in Iraq and Vietnam is an incomparably graver crime even than Putin’s aggression in Ukraine?

And as a minor footnote, perhaps these “backward” peoples are well aware that the Russian aggression, which they in fact harshly

condemn, was in fact extensively provoked—as Western commentators tacitly acknowledge in their own curious way by conjuring up for this case alone the novel phrase “unprovoked attack,” which has become de rigeur in polite circles for the plainly provoked Russian aggression.

Given the climate of irrationality and subordination to doctrine that reigns in the U.S. it is necessary to reiterate, once again, that extensive provocation does not provide any justification for criminal aggression.

The Hill-Stent exercise in obfuscation is, regrettably, an instructive example of prevailing mentality among the more liberal sectors of doctrinal orthodoxy, amplified by conformist media and journals of opinion. These sectors of course play a prominent role in shaping the climate in which policy is designed and implemented, a matter of overwhelming significance in the most powerful state in world history, with no close competitor.

The realities of the modern world impose unique responsibility on Americans. Ludwig Wittgenstein described the task of philosophy as “to show the fly the way out of the fly-bottle,” the flies being philosophers who buzz about in conventional confusions. Analogously, one task for those concerned about the future is to try to help educated elites find their way out of the doctrinal cocoon in which they have confined themselves, and to liberate the general public from the “alternative reality” that elite circles have constructed.

No small task, but an essential one.

Military operations produce enormous amounts of greenhouse gas emissions as capacity for and use of military force depend on energy that comes in the form of fossil fuels. In fact, the U.S. military emits more carbon into the atmosphere than some countries do and has a long history of fighting wars for oil. Is it realistic therefore to expect serious cli-





mate action on the part of the world's major powers if they continue to ignore how militarism fuels the climate crisis?

Chomsky: And, we may add, if they continue to ignore how the climate crisis fuels militarism. The climate crisis engenders conflicts. We've already witnessed that in Syria and Darfur, where migrations caused by unprecedented droughts provided a large part of the background for the horrors that ensued. There are looming crises that may put even these awful events in the shade.

India and Pakistan are at sword's point, engaged in constant armed confrontations. Both are suffering severely from global warming. One-third of Pakistan is under water, sometimes many feet deep, following an intense heatwave and a long monsoon that has dumped a record amount of rain. In neighboring India, poor peasants in mud huts are trying to survive drought and heat reaching 50 degrees Celsius (50°C), virtually unlivable, of course without air conditioning. Meanwhile the governing authorities race to produce more and better means of destruction. Another grim case of satire incarnates, perhaps. The sources of their water supplies are shared and diminishing. The rest can be left to the imagination.

What isn't left to the imagination is that both are armed to the teeth, including huge nuclear arsenals, an unsustainable arms race for much smaller Pakistan. For both, it is an unconscionable waste of resources that are desperately needed to face their shared and devastating problems of global warming and other forms of destruction of the environment.

India-Pakistan is only one of many such examples of impending disaster. The U.S., though unusually privileged, is not immune, as we have seen in the past months.

As usual, the crises are not just human destruction of the environment. Scandals proliferate. The city that has been worst hit is Jack-

son, Mississippi, the state capital. The water system has been failing for years, and now its residents are literally without potable water—in a country with unparalleled wealth and natural advantages.

"Experts say this crisis was years in the making, a result of inadequate funding for essential infrastructure upgrades. For the past year, leaders of this majority-Black, Democrat-led city have pushed for additional funding from the White Republicans who run the state. Little has come of those appeals."

Deeply rooted social pathologies make their own contributions to human misery, exacerbating those produced by destroying the environment and radical misuse of resources. The U.S. is, furthermore, far in the lead in accelerating the militarization of the world.

More tasks for Americans, and not them alone.

Bob, the world was falling short of meeting its climate goals even before the outbreak of the Ukraine war. Indeed, it's obvious by now that climate goals cannot be reached without fast and radical action. In that context, can you talk a bit about the role that carbon tax and cap-and-trade play as strategies for reducing carbon emissions?

Robert Pollin: Let's first be clear on what we mean by the world's "climate goals." The most basic goals were set out in 2018 by the Intergovernmental Panel on Climate Change (IPCC), the leading global organization that brings together and synthesizes climate change research. In its landmark 2018 special report "Global Warming of 1.50C," the IPCC established two primary goals: to reduce global carbon dioxide (CO₂) emissions by about 45 percent in 2030 relative to the 2010 level and to achieve net zero emissions by around 2050. The IPCC argued that these goals must be achieved to have a rea-



sonable chance of limiting global warming to 1.50C above pre-industrial levels. The IPCC had concluded that limiting global warming to 1.50C above pre-industrial levels is needed to dramatically lower the likely negative consequence of climate change.

Just since the IPCC’s 2018 report came out, we have been seen much more severe impacts of climate change than what the IPCC had anticipated in terms of heat extremes, heavy rains and flooding, droughts, sea level rise and biodiversity losses. To take just one recent example, average daily temperatures were sustained at over 110°F during the heat wave in India this past May. The intensifying climate crisis is making such episodes increasingly frequent. As Noam discusses, the war in Ukraine is only worsening the situation. It is therefore fair to conclude that the IPCC’s 2018 targets should be understood as what is minimally necessary to move onto a viable global climate stabilization path. This conclusion has been affirmed by the IPCC itself in its even more extensive 2022 follow-up studies.

Where does the world stand today in terms of achieving the IPCC’s emission reduction targets? As of the most recent data from the International Energy Agency (IEA)—the best-known and thoroughly mainstream organization that develops global energy models—global CO2 emissions were at around 36 billion tons in 2019. This represents a roughly 70 percent emissions increase since 1990 and a 14 percent increase just since 2010. More to the point, according to the IEA’s projections for future emissions under alternative realistic scenarios, emissions will fall barely at all by 2030 and will not come close to achieving the zero emissions target by 2050.

Specifically, in its 2021 “World Energy Outlook” report, the IEA developed two scenarios for future CO2 emissions levels based on what it considers to be realistic assessments of the current global policy environment.

One is what the IEA terms a “Stated Policies Scenario.” This scenario “explores where the energy system might go without additional policy implementation.” It is based on taking “a granular, sector-by-sector look at existing policies and measures and those under development.” In short, this scenario aims to project what CO2 emissions will be through 2050 if global policies remain basically fixed along their current trajectory. In this scenario, global CO2 emissions will not fall at all by 2030 and will decline by only 6 percent, to 33.9 billion tons, by 2050. In short, assuming we take climate science seriously, this is nothing less than a doomsday scenario.

Under a second “Announced Pledges Scenario,” the IEA “takes account of all of the climate commitments made by governments around the world, including Nationally Determined Contributions as well as longer term net zero targets, and assumes that they will be met in full and on time.” Under this more aggressive scenario, the IEA projects that emissions will still fall by only 7 percent as of 2030, and that by 2050, the emissions level will be at 20.7 billion tons—i.e. well less than halfway to achieving the zero emissions goal by 2050. In other words, even this more aggressive IEA scenario also is not too far from a doomsday scenario, assuming we take climate science seriously.

The IEA does also develop a scenario through which the world can reach zero emissions by 2050. The difference between the IEA’s stated policies and announced pledges scenarios relative to their net zero emissions by 2050 scenario is what the IEA terms an “ambition gap.” The question for getting to zero emissions is therefore to figure out how to close this “ambition gap,” i.e., how to avoid, somehow, a full-scale global climate catastrophe.

How much can carbon tax or carbon cap policies contribute here? Both of these mea-



sure aim to directly reduce the consumption of oil, coal and natural gas. This is critical since CO2 emissions from burning coal, oil, and natural gas to produce energy is, by far, the largest source of overall CO2 emissions, and thus, the major cause of climate change.

In principle at least, a carbon cap establishes a firm limit on the allowable level of emissions for major polluting entities, such as utilities. Such measures will also raise the prices of oil, coal and natural gas by limiting their supply. A carbon tax, on the other hand, will directly raise fossil fuel prices to consumers, and aim to reduce fossil fuel consumption through the high prices. Either approach can be effective as long as the cap is strict enough, or tax rate high enough, to significantly reduce fossil fuel consumption and as long exemptions are minimal to none. Raising the prices for fossil fuels will also create increased incentives for both energy efficiency and clean renewable investments, as well as a source of revenue to help finance these investments.

However, significant problems are also associated with both approaches. The first is their impact on the budgets of middle- and lower-income people. All else equal, increasing the price of fossil fuels would affect middle- and lower-income households more than affluent households, since gasoline, home-heating fuels and electricity absorb a higher share of lower-income households’ consumption. There is an effective solution here, developed initially by my PERI coworker Jim Boyce. That is to rebate to lower-income households a large share, if not most, of the revenues generated either by the cap or tax to offset the increased costs of fossil-fuel energy. Boyce termed this a “cap-and-dividend” program.

Another major problem with carbon caps is with enforcement. In particular, when these cap programs are combined with a carbon permit option—as in “cap-and-trade” policies—the enforcement of a hard cap becomes

difficult to sustain or even monitor. So instead of measures that could be major contributors to fighting climate change, we end up with a mess of accounting tricks and exceptions. For the most part, this has been the experience thus far with cap-and-trade policies, both in the U.S. and Europe.

There are some easy fixes for this problem, as we have discussed in previous interviews. The most straightforward is to establish hard caps, such as utilities being required to reduce their fossil fuel consumption by, say, 5 percent per year, every year, with no exceptions and no cap-and-trade escape hatches. The CEOs of corporations who fail to hit these hard caps would face serious criminal liability.

Arguments in favor of the deployment of negative emission technologies, such as direct air capture and bioenergy with carbon capture and storage, are gaining ground these days in spite of their technological immaturity. Same goes for nuclear power plants and even geo-engineering in spite of the inherent risks that they entail. What role can such strategies play in the effort to make a complete break from reliance on fossil fuels?

Pollin: Neither negative emissions technologies nor nuclear power can likely contribute significantly to building an alternative global clean energy infrastructure. Indeed, it is more likely that they will create still more severe problems.

Let’s start with nuclear. It does have the important benefit that it generates electricity without producing CO2 emissions. But nuclear also creates major environmental and public safety concerns, which only intensified after the March 2011 meltdown at the Fukushima Daiichi power plant in Japan and still more, after Russia seized control of the Chernobyl and Zaporizhzhia nuclear power plants in the early stages of its invasion of

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Ukraine six months ago. Nuclear disasters at both Chernobyl and Zaporizhzhia became active threats immediately. Just over the past month, the Zaporizhzhia plant has come under intense siege. Thus, as of August 3, the Director General of the International Atomic Energy Agency Rafael Grossi stated that conditions at Zaporizhzhia are “completely out of control” underlying “the very real risk of a nuclear disaster.” By mid-August, the BBC described “the growing concern over safety at the site...as both sides accuse each other of shelling the area.” The BBC article quotes U.N. Secretary General António Guterres’s warning that “any potential damage to Zaporizhzhia is suicide.”

Negative emissions technologies include a range of measures whose purpose is either to remove existing CO₂ or to inject cooling forces into the atmosphere to counteract the warming effects of CO₂ and other greenhouse gases. One category of removal technologies is carbon capture and sequestration. A category of cooling technologies is stratospheric aerosol injections.

Carbon capture technologies aim to remove emitted carbon from the atmosphere and transport it, usually through pipelines, to subsurface geological formations, where it would be stored permanently. The general class of carbon capture technologies have not been proven at a commercial scale, despite decades of efforts to accomplish this. After all, as we have discussed in previous interviews, carbon capture would be the savior for the oil, coal and natural gas industries if the technology could be made to work commercially at scale. However, even if carbon could be successfully captured at reasonable costs, the technology would still face the threat of carbon leakages that would result under flawed transportation and storage systems. These dangers will only increase to the extent that carbon capture be-





comes commercialized and operates under an incentive structure in which maintaining safety standards cuts into corporate profits.

The idea of stratospheric aerosol injections builds from the results that followed from the volcanic eruption of Mount Pinatubo in the Philippines in 1991. The eruption led to a massive injection of ash and gas, which produced sulfate particles, or aerosols, which then rose into the stratosphere. The impact was to cool the Earth’s average temperature by about 0.60C for 15 months. The technologies being researched now aim to artificially replicate the impact of the Mount Pinatubo eruption through deliberately injecting sulfate particles into the stratosphere. Some researchers contend that doing so would be a cost-effective method of counteracting the warming effects of CO2 and other greenhouse gases.

However, the viability of stratospheric aerosol injections as a major climate solution has been refuted repeatedly by leading researchers in the field. For example, the Oxford University climate scientist Raymond Pierrehumbert, a major contributor to various IPCC studies, is emphatic in his 2019 paper, “There is No Plan B for Dealing with the Climate Crisis,” that this type of geo-engineering—what he refers to “albedo hacking”—does not offer a viable solution to the climate crisis. Pierrehumbert writes:

The excess carbon dioxide that human activities inject into the atmosphere has a warming effect that extends essentially forever, whereas the stratospheric aerosols meant to offset that warming fall out of the atmosphere in about a year. It’s just a matter of gravity—stuff denser than its surroundings falls—aided a bit by atmospheric circulations that enhance the removal. This is why the cooling effects of even a major volcanic eruption like Pinatubo dissipate after two years or so. Hence, whatever level of albedo hacking is needed to avoid a dangerous level of warming must be

continued essentially forever.

Pierrehumbert further writes that: “We simply do not know the way the climate will respond to these novel forcings, or how our social and political systems will respond to these disruptive and possibly ungovernable technologies.”

Renewable energy critics argue that wind and solar are not reliable sources because of their variability. Others argue that wind farms encroach on pristine environment and destroy a country’s natural habitat, as is the case with the installation of thousands of wind turbines on scores of Greek islands in the Aegean Sea. How would you respond to such concerns, and are there ways around them?

Pollin: Three major sets of challenges arise in building a high-efficiency/renewable-energy dominant global energy infrastructure. They include the two you mentioned, i.e., 1) intermittency with solar and wind energy; and 2) the land use requirements for renewables, especially solar and wind. The third major challenge is the heavy mineral requirements as inputs for the clean energy infrastructure. In the interests of space, I will focus on just the first two.

Intermittency refers to the fact that the sun does not shine, and the wind does not blow, 24-hours a day. Moreover, on average, different geographical areas receive significantly different levels of sunshine and wind. As such, the solar and wind power that are generated in the sunnier and windier areas of the globe will need to be stored and transmitted at reasonable costs to the less sunny and windy areas. In fact, these issues around transmission and storage of wind and solar power will not become pressing for many years into the clean energy transition, probably for at least a decade. This is because fossil fuels, along with nuclear energy will continue to provide

a baseload of non-intermittent energy supply as these energy sectors proceed toward their phaseout while the clean energy industry rapidly expands. Fossil fuels and nuclear energy now provide roughly 85 percent of all global energy supplies. Even with a phase out to zero by 2050 trajectory, fossil fuels will continue to provide most of the overall energy demand through about 2035. Meanwhile, fully viable solutions to the technical challenges with transmission and storage of solar and wind power—including around affordability—should not be more than a decade away, certainly as long as the market for clean energy grows at the rapid rate that is necessary. For example, the International Renewable Energy Agency (IRENA) estimates that global battery storage capacity could expand between 17-38-fold as of 2030.

The issue of land use requirements is frequently cited to demonstrate that building a 100 percent renewable energy global economy is unrealistic. But these claims are not supported by evidence. Thus, the Harvard University physicist Mara Prentiss shows, in her 2015 book *Energy Revolution: The Physics and the Promise of Efficient Technology*, as well as in her more recent follow-up discussions, that well below 1 percent of the total U.S. land area would be needed through solar and wind power to meet 100 percent of U.S. energy needs.

Most of this land use requirement could be met, for example, by placing solar panels on rooftops and parking lots, then operating wind turbines on about 7 percent of current agricultural land. Moreover, the wind turbines can be sited on existing operating farmland with only minor losses of agricultural productivity. Farmers should mostly welcome this dual use of their land, since it provides them with a major additional income source. At present, the U.S. states of Iowa, Kansas, Oklahoma and South Dakota all generate more than 30 per-

cent of their electricity supply through wind turbines. The remaining supplemental energy needs could then be supplied by geothermal, hydro and low-emissions bioenergy, which are all non-intermittent renewable sources. This particular scenario includes no further contributions from solar farms in desert areas, solar panels mounted on highways or offshore wind projects, among other supplemental renewable energy sources. However, if handled responsibly, all of these options are also viable possibilities.

It is true that conditions for renewable energy production in the United States are more favorable than those in some other countries. Germany and the U.K., for example, have population densities seven to eight times greater than the U.S. and also receive less sunlight over the course of a year. As such, these countries, operating at high efficiency levels, would need to use about 3 percent of their total land area to generate 100 percent of their energy demand through domestically produced solar energy. But using cost-effective storage and transmission technologies, the U.K. and Germany can also import energy generated by solar and wind power in other countries, just as, in the United States, wind power generated in Iowa could be transmitted to New York City. Any such import requirements are likely to be modest.

What about Greece? With co-authors, I am currently working on a study that considers the land use issues in Greece within the framework of achieving a zero-emissions economy there by 2050. I hope to be able to give more details on our results soon. For now, suffice it to say that there is no need for Greece to be installing wind farms on pristine sites. As with the U.S., there is more than sufficient land area in Greece to meet 100 percent of the country's energy demand through investments in high efficiency and building a renewable infrastructure situated on artificial



surfaces like rooftops, parking lots, highways and commercial locations, as well as, to a relatively modest extent, agricultural lands.

Noam, we are the only species to evolve a higher intelligence, but we are not making the right decisions over climate and the environment. Is it because of politics and the way the world economy functions, or perhaps because of fears that the challenge of global warming is too overwhelming so we might as well go on with business as usual, make some alterations along the way and just hope for the best?

Chomsky: Evolution of higher intelligence is an intriguing scientific problem. It is even possible that we are the only species in the accessible universe to have evolved what we call higher intelligence, or at least to have sustained it without self-destruction. Yet.

As for why the existential crises that may soon end sustainable life on Earth receive far too little attention, one can think of many possible reasons. There is also a deeper question lingering in the not too remote background. The question burst into consciousness with dramatic intensity 77 years ago, on August 6, 1945. Or should have.

On that fateful day we learned that human intelligence had registered a grand achievement. It had devised the means to destroy everything. Not quite yet, in fact, though it was clear that further technological progress would soon reach that point. It did, in 1952, when the U.S. exploded the first thermonuclear weapon, and the Doomsday Clock advanced to two minutes to midnight. It did not become that close to terminal disaster again until Trump's term, then moving on to seconds as analysts abandoned minutes.

The question that arose with stark clarity 77 years ago was whether human moral intelligence could rise to the level where it could control the impulse to destruction. Can the

gap be overcome? The record so far is not promising.

The game is not over unless we choose to end it. The choice is unavoidable. How humans will decide is by far the most important question that has arisen in the brief sojourn of humans on Earth. We will soon provide the answer. 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. He is a regular contributor to Truthout as well as a member of Truthout's Public Intellectual Project. 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).



Has the Trump Supreme Court gone rogue? The evidence mounts. Certainly, its recent judicial blitzkrieg has run roughshod over a century's worth of settled law.

A woman's right to get an abortion? Gone (at least as a constitutionally protected civil right). Meanwhile, voting rights are barely hanging on, along with the 1965 Voting Rights Act that gave them life. State legislatures, so the court ruled, may no longer rein in the wanton availability of firearms and so the bloodshed will inevitably follow. Climate catastrophe will only get closer as the Supremes have moved to disarm the Environmental Protection Agency's efforts to reduce carbon emissions. Religion, excluded from the public arena since the nation's founding, can now invade the classroom, thanks to the court's latest pronouncement.

This renegade court is anything but finished doing its mischief. Affirmative action may be next on the chopping block. Gerrymandering, long an ignoble tradition in American political life, could become unconstrained if the Supremes decide to exempt such practices from state court judicial review. And who knows what they are likely to rule when every election not won by the Republican Party may be liable to a lawsuit.

Donald Trump's three appointments to the court—Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett—cemented in place a rightward shift in its center of gravity that had begun decades earlier. Ever since, in 1986, President Ronald Reagan appointed William Rehnquist, a staunch conservative, as chief justice, the court has only become ever

more averse to regulating business, even as it worked to reduce the power of the Federal government.

Don't forget that it essentially appointed George W. Bush president in 2000 by ruling that Florida couldn't conduct a recount of the vote, though it seemed likely that Al Gore would prevail and enter the Oval Office. And even after Rehnquist passed away, the court's 2010 Citizens United decision granted corporations the same free speech rights as people, further eroding democracy by removing limitations on their campaign contributions.

This march to the right was in stark contrast to the earlier deliberations of the court led by Chief Justice Earl Warren. The Warren court was, of course, best known for its landmark 1954 *Brown v. Board of Education* decision striking down public school segregation. It would also become the judicial centerpiece of a post-World War II liberal order that favored labor unions, civil rights, government oversight of business, and the welfare state.

Historically speaking, however, the Warren Court was the exception, not the one cobbled together by Donald Trump and effectively, if not officially, presided over by Justice Clarence Thomas. The Supremes were born to be bad.

Enshrined in the Constitution

From the beginning, the Supreme Court was conceived as a bulwark against excessive democracy, as indeed was the Constitution itself.

During the years leading up to the 1787 constitutional convention in Philadelphia, the country was in a chronic state of upheaval. Local insurrections against heavy taxation, land and currency speculators, and merchant-bankers had called into question the security and sanctity of private property. Local legislatures proved vulnerable to take-over by the hoi pol-

The Trump Supreme Court Is Nothing New
By Steve Fraser



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loi who felt free to cancel debts, print paper money, stop evictions, and oust elites from their accustomed positions of power.

Various impediments to this kind of “mobocracy” were baked into the Constitution, including the electoral college for presidential votes and the indirect election of senators by state legislatures (until the 17th amendment was ratified in 1913). The Supreme Court was just another such obstacle.

Founding Father James Madison typically saw that court as protection against “factious majorities” at the state and local level that might threaten the rights of property-holders. Fearing “passionate majorities,” he went so far as to propose a joint executive-judicial council with veto power over all legislation.

That idea went nowhere. Still, the principle of “judicial review”—the power of the court to have the last say on the constitutionality of legislation—although not made explicit in the Constitution was implicit in the way the founding fathers sought to rein in democratic impulses. French author Alexis de Tocqueville in his nineteenth-century classic, *Democracy in America*, typically recognized the special status accorded to judicial elites, describing them as America’s “high political class.”

At first, the Supreme Court’s services weren’t needed as a guardian of vested interests and its presence was muted indeed. It met in the basement of the Capitol and, between 1803 and 1857, struck down only two federal statutes. (Compare that to the 22 it struck down between 1992 and 2002 alone.)

The court would, however, establish an enduring reputation for conservatism thanks to its infamous 1857 *Dred Scott* decision. By a 7-2 majority, the justices declared all Black people—free or enslaved—to be non-citizens. They also ruled that, even if a slave made his or her way to a free state, he or she would remain the property of the slave owner and declared that no territory under U.S. jurisdiction

could prohibit slavery.

Dred Scott is generally considered to be the most egregious decision in the court’s 250 year history. That ruling was, however, in keeping with its basic orientation: to side with propertied interests, not the unpropertied; slave-owners, not slaves; and industrialists and financiers rather than with those who worked for and depended on them.

Gatling-Gun Injunctions and Yellow Dog Contracts

After the Civil War, the court became ever more aggressive in defending the interests of the powerful. There was a need for that as, once again, the powerless threatened the status quo.

Reconstruction—the period immediately after the Civil War when the Federal government imposed martial law on the former Confederate states—empowered ex-slaves to militantly exercise their rights to full civil and political equality under the 14th and 15th amendments. Desperate farmers in the Midwest, on the Great Plains, and in the South were then mobilizing to protect themselves from predatory banks, railroads, and commodity speculators. Industrial workers were engaged in pitched battles with their employers, confrontations that elicited widespread sympathy in cities and towns across the country.

“Passionate majorities” needed chastening and the court met the challenge. It launched an era, much like our own, of “judge-made law” that would last from the late 1880s into the 1920s.

Early on, the Supremes declared a civil rights act unconstitutional. Later, in *Plessy v. Ferguson*, they made segregation constitutionally legitimate via the doctrine of “separate but equal” and so helped restore elite white rule in the South. By ensconcing segregation,





they also ended the hopes aroused by the Populist movement for an alliance of black and white rural poor against predatory banks and landlords.

The populist fervor of that era led some state legislatures to adopt laws regulating railroad rates and the fees charged by grain-elevator operators, while challenging corporate monopoly power over the vital necessities of life. Initially, the court tread carefully. Soon enough, however, the justices shed that reticence, using the power of judicial review to wipe such laws off the books. With a distinct touch of irony, they concluded that, in the eyes of the law, corporations were indeed persons and so entitled to the very civil rights guaranteed to ex-slaves by the 14th amendment (“rights” presumably denied them under state regulatory statutes).

Regulating business, the justices suggested, was tantamount to confiscating it. As one railroad lawyer had argued before the court, such regulation was “communism pure and simple.” From that same perspective, the court found a federal law establishing an income tax unconstitutional. (It took the 16th amendment, passed in 1913, to make the income tax national law.)

Industrial capitalism accumulated its wealth by subjecting the lives of millions of workers to abject misery: poverty, overwork, danger, disease, and profound indignity. It would prove a bloody affair, igniting confrontations between workers and their bosses more violent than anywhere else in the western world. As those workers began organizing collectively, their middle-class allies occasionally succeeded in passing relevant laws for minimum wages, outlawing child labor, putting a ceiling on the work hours an employer could enforce, and making the workplace safer or, at least, compensating those injured on the job.

The justices of the Supreme Court, some of whom had once been lawyers for the railroad,

iron, and steel industries, knew just what to do in response to such democratic challenges to the prerogatives of capital. While the right to strike might be honored in theory, the court issued injunctions to stop such strikes from happening so often that the era became known (after the early machine gun of that time) for its “gatling-gun injunctions.” That term was used in part as well because such rulings could be enforced by the Army or its state militia equivalents, not to mention the imprisonment and heavy fines often involved. During one such bloody encounter, William Howard Taft, then an Ohio judge, later president, and finally chief justice of the Supreme Court, complained that federal troops had “killed only six of the mob as yet. This is hardly enough to make an impression.”

To rub yet more salt in the wound, such injunctions were often justified under the Sherman Anti-Trust Act of 1890. Originally designed to break up monopolies, it would be used far more frequently to bust strikes (and sympathy boycotts) on the grounds that they were “conspiracies in restraint of trade.” The court repeatedly enjoined “secondary boycotts”; that is, supportive actions by other unions or groups sympathetic to striking workers. It also struck down a Kansas statute that banned “yellow dog contracts”—agreements promising that they would never join a union that many workers were forced to sign on being hired.

Laws that attempted to ameliorate the harshness of working-class life were treated with similar disdain. New York state, for example, passed one banning cigar making in tenement workshops as a danger to workers’ health. The court saw otherwise, treating such tenement dwellers as independent contractors who had freely chosen their way of life.

New York also tried to limit the hours bakers could work to 10 a day and 60 a week. At the time, they were normally compelled to

work 75 to 100 hours weekly in ill-ventilated cellars of tenement bakeries where breathing in the flour was a danger to their lungs. The justices begged to differ. In *Lochner v. New York*—named after the bakery owner who sued the state—they refused to recognize any threat to the well-being of bakers who, in the eyes of the court, had freely contracted to work on those terms. They were after all as free as their employers to strike a bargain or choose not to work.

The freedom of contract was then the reigning judicial orthodoxy, inherited ironically enough from the long struggle against slave labor. Unlike slavery, free labor allegedly enjoyed an equality of standing in any contractual relationship with an employer. Laws or unions which interfered with that “freedom” were rendered nugatory by the Court and it didn’t matter how obvious it was that the imputed equality between owners of capital and the men and women compelled to work for them was illusory.

The only laws of that sort which passed muster were those protecting women and child laborers. The justices considered such workers inferior and dependent, and so, unlike men, unable to freely enter into relations of contractual equality. In the case of women, there was the added danger of jeopardizing their maternal role. Still, consider it an indication of just how reliant businesses had then become on child labor that even a federal law that controlled the ages and hours children could work was, in the end, struck down by the Supreme Court.

The Court v. the People

By the turn of the 20th century, the outcry against “judge-made law,” the willful manipulation of the Constitution to shore up endangered bastions of wealth and power, had grown ever stronger. Some more recent

scholars have found the court’s rulings then not as one sided as its reputation suggests, but contemporaries certainly didn’t share those doubts.

When the Supreme Court overturned an income tax law, a dissenting justice vividly described its decision as a “surrender to the moneyed classes.”

Similarly, in 1905, Supreme Court Justice Oliver Wendell Holmes broke with his colleagues when they ruled in the *Lochner* case, noting that “the 14th amendment does not enact Mr. Herbert Spencer’s Social Statics.” (Spencer was then the world’s foremost proponent of social darwinism and a staunch defender of free-market economics.) A few years later, future Supreme Court Justice Louis Brandeis cuttingly noted that “to destroy a business is illegal. It not illegal to lower the standard of the working man’s living or to destroy the union which aims to raise or maintain such a standard. A business is property... A man’s standard of living is not property.”

Other voices were also being raised in alarm over the coming of a “judicial oligarchy.” Politicians from former president Theodore Roosevelt to perennial Socialist Party presidential candidate Eugene Debs began denouncing “the rogue court.” When he ran again for president in 1912 as the candidate of the Bull Moose, or Progressive Party, Roosevelt declared that the people are “the ultimate makers of their own Constitution” and swore that Americans would not surrender that prerogative to “any set of men, no matter what their positions or their character.” His rival for the party’s nomination, Wisconsin senator Robert LaFollette, typically offered this observation: “Evidence abounds that... the courts pervert justice almost as often as they administer it.” There existed, he concluded, “one law for the rich and another for the poor.”

Calls for reform back then should sound eerily familiar today. Populist presidential candi-

date James Weaver urged that Supreme Court justices be elected and lifetime terms abolished. A bill introduced in Congress proposed that a majority of both houses should have the power to recall and remove a judge from office. Another demanded a super-majority of justices—seven out of nine—be required to invalidate a law. Roosevelt argued that there should be popular referenda on the court’s decisions. The Socialist Party demanded that the Supreme Court’s power to review the constitutionality of federal laws be done away with and all judges elected for short terms.

Still, the court prevailed until the Great Depression of the 1930s. President Franklin Roosevelt, however, passed new laws regulating business and finance, as well as a national minimum wage and maximum-work-hours statute, while legalizing the right to join a union. Together with yet another uprising of beleaguered industrial workers in those years, this would shift the balance of power. Even then, the Supreme Court justices at first succeeded in nullifying key pieces of Roosevelt’s economic recovery legislation, while Democrats at the time, (as today), talked about adding new justices to the court.

In the end, however, the national trauma of a capitalism seemingly on the verge of collapse, the weight of changing public opinion, and the aging out of some of the justices ended the dominion of the *Lochner* court.

“The Race Question”

During the long years of opposition to that court, little of the criticism touched on “the race question.” How to account for that? From the Gilded Age of the late 19th century to Roosevelt’s New Deal, Americans were preoccupied with “the labor question” (as it was then called)—that is, how to deal with the

great social divide between capital and labor opened up by industrialization.

The silence when it came to the no less striking racial bias of the Supreme Court speaks to a ubiquitous national blindness on matters of racial justice then. Of course, segregation was settled law at the time. In the words of a justice deciding the *Plessy* case, white supremacy was “in the nature of things.” (Sound familiar?) So, too, the relative weakness of mass movements addressing the racial dilemma during the *Lochner* court years was striking, making the issue easier to ignore.

The Supreme Court’s original responsibility was, as James Madison once put it, to guard against the “tyranny of the majority.” African-Americans were, of course, a long-tyrannized minority.

However, on that subject the *Lochner* court went AWOL, even by its own standards. If the “minority” in question happened to be a corporation, it, of course, needed the court’s protection. Not so fortunate were millions of ex-slaves and their descendants.

Eventually, a different Supreme Court, the one overseen by Chief Justice Earl Warren, faced the “race question.” Indeed, it expanded civil rights and civil liberties generally by making racial segregation illegal in public schools, increasing the constitutional rights of defendants, outlawing state-sponsored school prayer, and creating the groundwork to legalize abortion.

Times had changed. Civil rights for African-Americans (about which Roosevelt’s New Deal did little) became an increasing concern during and after World War II. Growing civil rights organizations and a then-powerful labor movement began to press the issue ever harder. By the time the Warren Court made its celebrated 1954 *Brown v. Board of Education* decision, race had become a “question,” just as the “labor question” had in the New Deal era.



Before then, pressure alone, however muscular, had not produced a shift in the high court's approach as the *Lochner* court so amply demonstrated. Segregation had, after all, become entrenched as a way of life endorsed by local white legislatures. Southern commercial interests in particular—plantation owners, textile manufacturers, and raw material producers—depended on it.

Beyond those circles, however, segregation had become increasingly repellent in a culture ever more infused with the multi-ethnic sympathies and cosmopolitanism of the New Deal era. In beginning the dismantlement of legal segregation, the Warren court would not, in fact, threaten the country's central institutions of power and wealth which, if anything, had by then come to find American-style apartheid inimical to their interests.

Justice is supposed to be nonpolitical, but that has never been the case. What was once termed the “counter-majoritarian” mission of the court—to discipline “passionate majorities”—produced great wrongs in the era of the gatling-gun injunction as had also been true earlier. The Warren court, however, was the exception. It achieved the very opposite results, even as it relied on the same constitutional logic (the civil rights enshrined in the 14th amendment) the *Lochner* court had in thwarting mass movements for justice and equality.

Today's Supreme Court is more than Donald Trump's creation. It's the result of a long counter-revolution against the political, economic, and cultural reforms of the New Deal, as well as of the labor, civil rights, women's, and gay liberation movements of the last century.

Sadly, those are the “passionate majorities” the court now seems all too determined to squelch and in that it stands in a long American tradition, though one most of us had forgotten in the Warren years. One thing should

be obvious by now: if the country is ever to live up to its democratic and egalitarian promise, the tyranny of the Supreme Court must be ended. Z

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Steve Fraser, a TomDispatch regular, is the author of *Mongrel Firebugs and Men of Property: Capitalism and Class Conflict in American History*. His previous books include *Class Matters*, *The Age of Acquiescence*, and *The Limousine Liberal*. He is a co-founder and co-editor of the American Empire Project.

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