TO END THE CONSERVATIVE STRANGLEHOLD, DEMOCRATS NEED TO GET SERIOUS ABOUT REBUILDING THE SUPREME COURT, FROM THE BENCH UP.
A Message to Democrats

Re Tana Ganeva’s “The Trump Voter Conundrum” [February 17]: I am so weary of the notion that Donald Trump’s voters must be wooed. The white nationalists and those who seek to elect a president who will appoint justices to overturn Roe v. Wade (when in reality those justices are far more concerned with allowing major corporations to pollute and avoid taxes) are not persuadable! We must deliver a message that speaks to everyone who is worried about health care, education, and jobs—and perhaps to those who have become disenchanted with Trump, like the people in the story. They are listening.

But Democrats must not worry about wooing; they just have to deliver the right message. If you want to know how to do that, listen to Bernie Sanders. Sandra Miley

An Impeachable Offense

In his brilliant, cutting editorial “A Crowning Injustice” [February 24], Elie Mystal points out the devious strategies that a corrupt GOP continues to use in order to keep the vastly more diverse Democratic Party out of power. I would add that the Republicans have been an insurgency since Barry Goldwater’s campaign and definitely since Ronald Reagan, who saw government as the problem. Insurgencies eventually self-destruct. But until this one does, it will continue its protofascist war against democracy through the 2020 elections.

The Democratic nominee and his or her running mate must first and foremost point out this corruption, which will also illuminate many policy differences. That should hopefully persuade a majority of Americans to vote the president and his minions out of office.

Sal R. Pauciello
Irvington, N.Y.
Buying the Party

Bernie Sanders’s overwhelming victory in the Nevada caucuses is sending shock waves through the American political system. At press time, though he still faced a test in South Carolina, he was clearly the front-runner to be the Democratic presidential nominee, with the clearest path to victory.

The panic of the Democratic political elite was most visible on MSNBC, where many of the news anchors and guests looked as if they were auditioning for a remake of David Cronenberg’s Scanners, the classic 1980s horror flick whose most famous scene involves a spectacularly exploding head. The fast-talking Chris Matthews was particularly distraught, comparing Sanders’s win to the Nazi conquest of France. Before Nevada, Matthews invoked the specter of mass executions of political opponents in Central Park. James Carville echoed this language and worried that Vladimir Putin was chortling at Sanders’s triumph.

Sanders’s rise has been matched by the increasing prominence of Michael Bloomberg, who injected an unprecedented half a billion dollars into the race. After Nevada, the Bloomberg campaign said it would focus its energies on attacking Sanders. Voters can expect an onslaught of negative ads featuring decades-old opposition research. While Joe Biden and, in several polls, Elizabeth Warren are polling better than Bloomberg, the former New York mayor is the true opposition to Sanders. Bloomberg is the voice of those in the Democratic Party who insist that Sanders is unacceptable.

The party is facing a choice between not just two candidates but two different models of politics. The Sanders model (which Warren is also following) depends on small donations, grassroots organizing, and bringing new voters into the system through a volunteer army of canvassers. The Bloomberg model involves the ninth-richest man in the world using his personal fortune to create a political “movement” that is completely top-down, one that relies on a network of supporters who are either paid employees or beneficiaries of his philanthropy. What Bloomberg is doing has no real precedent in American life. Even previous wealthy politicians like Franklin Roosevelt and John F. Kennedy rose to prominence by working within existing party structures.

It’s not just that Bloomberg was a Republican from 2001 to 2007 and rejoined the Democrats only in 2018. The history of his endorsements and donations shows that he acts like a special interest rather than a party member. In 2016 he was a major factor in the reelection of Pennsylvania Republican Senator Pat Toomey, giving $12 million to his campaign. Bloomberg continued funding and endorsing Republicans in 2018.

Bloomberg is creating a model for running for president, one in which a rich man can simply buy a political party with the same ease he acquires a mansion or a yacht. If he is the nominee, then the Democratic Party will be a wholly owned subsidiary of the billionaire. If he is less successful but substantially influences the process by exercising a veto over Sanders’s or Warren’s nomination, then the Democrats can be seen as a firm partly owned by its voters and partly by Bloomberg LP.

Sanders, like Bloomberg, can be accused of not being a Democratic Party loyalist. But the difference is that Sanders is an insurgent trying to create a mass movement that could infuse the Democrats with new blood. Bloomberg simply wants to buy the existing party and turn it into an instrument of his ambition.

It’s possible that Bloomberg could win the nomination and the presidency. If that happens, he will transform the very nature of the Democratic Party and also diminish—and possibly extinguish—the reform movements headed by Sanders and Warren.

Under Bloomberg, the Democrats would become the party of money, not the party of the many.

JEET HEER FOR THE NATION
Trump’s Bad Budget

Work requirements don’t work.

The logic behind work requirements for public benefit programs is simple on its face. In an economy with a 3.6 percent unemployment rate and in which there is, technically, a job opening for every unemployed person, anyone who is physically capable of getting and keeping a job could reasonably be expected to do so. Perhaps they simply need a nudge—the threat of losing their health care, cash assistance, or food stamps—to help them do it.

But that’s a facade. And President Trump just blew it right off with his latest budget. He admitted the truth: The real intent of work requirements is to cut people off from benefits in order to dramatically shrink social programs.

He has been zealously pursuing work requirements since he came into office. In 2018 his Council of Economic Advisers released a long report arguing for work requirements in virtually all social safety net programs. Although Congress has more or less refused to go along, his administration has done what it can to make that vision a reality. Trump signed an executive order instructing federal agencies to review assistance programs to see whether they could unilaterally impose work requirements. The administration gave states the ability to seek waivers and institute them in Medicaid, and it put forward a proposal to let housing authorities mandate them for public housing residents and recipients of rental assistance. In December it finalized a rule that will make existing work requirements for food stamps harsher.

Trump’s proposed 2021 budget is no different. It calls for instituting or beefing up work requirements “in federally funded public assistance programs,” including Medicaid, food stamps, rental assistance, and cash welfare. Work requirements will “enhance service coordination for program participants, improve the financial well-being of those receiving assistance, and ensure federally funded public assistance programs are reserved for the most vulnerable populations,” his budget claims.

They are also a major component of his plan to address the supposedly dangerous government deficit. “Unsustainable Federal deficits and debt are a serious threat to America’s prosperity,” his budget states, pointing out that the deficit was $985 billion in 2019, the largest since the recession ended, and is forecast to hit $1 trillion this year. “It is imperative,” Trump’s proposal reads, to “reign [sic] in spending” to deal with this purported crisis he helped create by reducing the tax burden on corporations and the wealthy. The budget therefore seeks to trim spending by $4.4 trillion over a decade. That includes $292 billion in cuts to safety net programs, secured in part by all the new or enhanced work requirements. (You won’t, of course, find a mention of one big driver of that deficit. According to the nonpartisan Congressional Budget Office, the massive tax cut package Trump signed into law will add $272 billion to the deficit this year and inflate it by $1.85 trillion over a decade.)

If work requirements operated the way they’re intended, they would be an ineffective way to slash spending. In such a tight job market, recipients should, according to proponents, be able to land a job and thus earn a paycheck while still receiving benefits. But that would result in no net savings. The administration is clearly counting on people losing access to health care, rental assistance, and food and cash supplements en masse as a result of those requirements.

Finally, Trump is saying the silent part out loud. Work requirements have never been about helping people get work. They are about denying access by erecting a thicket of paperwork between the needy and the assistance they require to get by.

When the Trump administration allowed states to impose work requirements in their Medicaid programs, Arkansas kicked more than 18,000 people off Medicaid in seven months. A follow-up study found that those who lost insurance didn’t go on to get jobs that offered health insurance; a large portion simply became uninsured. New Hampshire, which also implemented a Medicaid work requirement, was on the verge of kicking 17,000 people off the rolls in just two months and thus decided to halt its implementation.

Temporary Assistance for Needy Families, the country’s cash welfare program, has had a strict work requirement since the program was implemented in the welfare “reform” of the 1990s. Since then, more than 2 million families have lost all of their benefits because of these rules. Meanwhile, the impact on employment—the ostensible reason for instituting these requirements in the first place—is typically negligible in the longer term. Research done by the Center on Budget and Policy Priorities in a handful of states found that TANF’s work requirement did not make people any more likely to be working within five years. In some places, those who weren’t subject to such a rule were actually more likely to work. The same is true of food stamps. A 2018 study found that the program’s work requirements have led to lower enrollment without increasing how much recipients work.

Despite this, Trump administration officials have lined up in favor of work requirements. “Millions of people who could work are continuing to receive [food stamps],” Agriculture Secretary Sonny Purdue said in defense of work requirements. “We need to encourage people by giving them a helping hand but not allowing it to become an infinitely giving hand.” The requirements “are not some subversive attempt to just kick people off of Medicaid,” claimed Seema Verma, the administration official who spearheaded states’ ability to impose them for Medicaid.

But that’s the effect they have on all public benefits. And the president has now admitted that he is banking on them to do just that.
March 16/23, 2020

The Nation.

None Like It Hot

Dear Liza,

We’ve been hearing a lot about excessive air-conditioning, but what about excessive heating? My office is in a large building in the middle of New York City, and since the heat has been turned on, temperatures in our unit have routinely exceeded 78 degrees Fahrenheit. My colleagues and I have trouble focusing when it’s stuffy, muggy, and hot at work, but those in management don’t seem to care; they just tell us to dress in layers. To make matters worse, they have locked the thermostat so we can’t turn on the air or fans, and they reprimand us for opening windows.

Do we have any legal or other recourse? How can we reason with not just our bosses but also the people who run the building?

—Roasting in Midtown

Dear Roasting,

This is untenable! While the Occupational Safety and Health Administration doesn’t regulate workplace temperatures, it does recommend that they fall within the range of 68 to 76 degrees, so as subjective as these matters can be, your office’s are clearly too high. If you have a union, please file a grievance. If you’re not represented by a union but some of your coworkers are, ask them to do this. Otherwise, since it sounds as if your colleagues agree with you, visit with your bosses as a group, in person—as many of you as possible—and demand that they address the problem with the building management. You have no leverage with the building management, but your bosses do; they’re the tenants. Present your bosses with some data that might interest them: The heat in your office could be affecting productivity. Office workers perform best at around 71.6°F, and productivity suffers at temperatures much higher or lower, according to a study by researchers at the Helsinki University of Technology and the University of California, Berkeley. And if you’re all pretty irreplaceable and secure in your positions (I realize this is unlikely) you might consider threatening to work from home until the issue is resolved. Since the law does not protect your right to take such an action, you’d need to be sure that all your coworkers agreed before taking such a step.

Dear Liza,

Sometimes I feel this sense of despair when I think about how tired and overworked I’m getting.

—Ready to Kick Back

I’m only an undergrad, but sometimes I look at all the things I have to do, and I just think to myself, “This is what the rest of your life will be.” Will there ever be a time when I can just chill?

Questions? Ask Liza at TheNation.com/article/asking-for-a-friend

Dear Ready,

Isn’t it terrible that with such a world of leisure to be enjoyed—sex to be had, literature to read, fascinating people to hang out with, good music to listen to—every life stage under capitalism exacts so much work from us? That’s part of what makes it a bad system. Anti-work thinkers such as Wilson Sherwin, Kathi Weeks, and James Livingston argue that we should not only end the exploitation of workers by capital, as socialists have been advocating since the 19th century, but also fight for a society in which work doesn’t take up nearly as much of our time and headspace.

No doubt, being a working-class undergrad is one of the most exhausting challenges right now. I have seen this as a teacher. You may have a job to make ends meet on top of a full load of classes. If that’s the case, yes, when you graduate, your life might be a little less tiring because you will only be working and you won’t have school. However, you may have kids or need to work multiple jobs, perhaps to pay off student loans, so I can’t promise that things will get much easier.

Then again, perhaps you are a person with options, an upper-middle-class student who is working this hard because you have been programmed to be a high achiever. You got into a good college by working hard, so you...

(continued on page 8)

ILLUSTRATION BY JOANNA NEBORSKY
The Other Pandemic: Habitat Destruction

Scientists are racing to find the animal source of the new coronavirus, but the real blame might lie with us.

It could have been a pangolin. Or a bat. One now-debunked theory that made the rounds suggested it was a snake.

The race is on to finger the animal source of the coronavirus that is on the verge of setting off a pandemic. The virus’s animal origin is a critical mystery to solve. But speculation about which wild creature originally harbored the virus obscures a more fundamental factor in our growing vulnerability to pandemics: the accelerating pace of habitat loss.

Since 1940, hundreds of microbial pathogens have emerged either for the first time or in territory where they had never been detected before. They include HIV, Ebola, Zika, and a bevy of novel coronaviruses. Sixty percent of them originate in the bodies of animals. Some come from pets and livestock. More than two-thirds spread from wildlife. But that’s not the fault of wild animals. Although the rhetoric might suggest otherwise, wild animals are not especially infested with deadly pathogens, poised to infect us. In fact, most of these microbes live harmlessly in these animals’ bodies. The problem is the way that cutting down forests and expanding towns, cities, and industrial activities create opportunities for animal microbes to adapt to human bodies.

Habitat destruction threatens vast numbers of wild species with extinction. It also forces the wild species that hang on to cram into smaller fragments of remaining habitat, increasing the likelihood that they’ll come into repeated, intimate contact with the humans spreading into their habitats. It’s this kind of contact that allows the microbes that live in their bodies to cross over into ours. We transform, intimate contact with the humans spreading into their habitats. The problem is the way that cutting down forests and expanding towns, cities, and industrial activities create opportunities for animal microbes to adapt to human bodies.

Consider Ebola. According to a 2017 study, Ebola outbreaks, which have been linked to several species of bats, are more likely to occur in places in Central and West Africa that have experienced recent episodes of deforestation. Cutting down the bats’ forests forces them to roost in trees in backyards and farms instead, increasing the likelihood that a human will, say, take a bite of fruit covered in bat saliva or hunt and slaughter a bat, exposing that person to the virus. In October the White House decided to end Predict and in February proposed cutting funds to the World Health Organization.

Nonetheless, the next pandemic looms, and not just because of the new coronavirus. The Trump administration’s deregulation of extractive industries will likely speed up the habitat destruction that brings animal microbes into contact with humans. At the same time, the administration is reducing our ability to identify and contain the next spillover microbe. In October the White House decided to end Predict and in February proposed cutting funds to the World Health Organization.

The epidemiologist Larry Brilliant once said, “Outbreaks are inevitable. Pandemics are optional.” But pandemics remain optional if we have the will to disrupt our politics as readily as we disrupt nature. In the end, there is no real mystery about the animal source of pandemics. It’s not some scaled pangolin or furry bat. It is us.
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kept doing that—in which case, stop right now. You’ll never get your youth back, and your mental and physical health are worth far more than a 4.0 GPA. And please take the same lesson into your postgraduate work life. If you end up in a profession, being considered successful can result in having little time you can call your own, paradoxically. It’s supposed to be its own reward, but it isn’t.

Many graduates notice that after they get out of school they enjoy more leisure, because in many cases work can be left at work, whereas schoolwork never feels done. (Even if you’re out with your friends or enjoying a hike in the woods, you feel you should be writing a paper or studying for a test.) The problem is that the ruling class is always trying to undermine our entitlement to leave work at work, either through conditions so precarious that we are too stressed out to enjoy our leisure, pay so low that we have to work too many hours, or communications technology that obliges us to be in touch with our manager even when we’re at home. But whenever it’s possible to set that boundary, you should do so, whether in solidarity with your coworkers (working less can be an important collective demand) or (usually less effectively) through your own assertiveness.

I’m guessing that you haven’t chosen a career yet. Ask people in the fields you’re considering about their work/life balance. We use this term too often as a euphemism for balancing jobs with family responsibilities. But we shouldn’t just ask, “Does this job offer me time for domestic labor?” We should also ask, “Does it allow me time in which to perform no labor at all?” You’ll find that even in professions like medicine, some specialties have a lot more leisure and flexibility than others, and it’s good to keep this in mind while you’re still able to make choices. In selecting one career over another, don’t be embarrassed to let your leisure time be a factor. It’s not as if you get to live your life over again and come back as a house cat—or a member of the idle rich.

(continued from page 5)
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Justice and #MeToo

What does it mean to take women’s claims of sexual assault seriously?

Until March 25, 2019, Dr. Willie Parker was a highly respected and much-loved abortion provider in Alabama, the celebrated author of a best-selling book, Life’s Work, in which he defended abortion from a Christian perspective, and a frequent, charismatic speaker and honoree at pro-choice conferences and events. An imposing middle-aged black man who grew up poor in Alabama, he was the movement’s rock star. That all changed overnight, when Candice Russell, a 35-year-old volunteer in Dallas, posted an article on Medium, “To All the Women Whose Names I Don’t Know, About the Pain We Share, the Secrets We Keep, and the Silence That Shouldn’t Have Been Asked For.”

Although her account was somewhat hard to follow, she basically accused him of rape—having sex with her when she was far too drunk to consent—about two years earlier. Parker’s response denying that their sex was nonconsensual went up on Medium the next day, but its unapologetic tone only made matters worse. Within 48 hours, he resigned under pressure from his board positions with the Religious Coalition for Reproductive Choice and Physicians for Reproductive Health and then from Lady Parts Justice League (now the Abortion Action Front). Before long, his upcoming engagements were canceled, even in Brazil.

I didn’t understand at the time why there was such eagerness to cancel him, and I still don’t. Why didn’t movement leaders follow longtime black feminists Loretta Ross and Toni Bond and resist the rush to judgment? Why not say, “These are serious allegations, and we’re going to look into them?” After all, Russell did not just claim Parker had assaulted her; she claimed that he’d done the same to many others, “whispers” abounded about his inappropriate behavior, higher-ups in the movement knew all about it, and they had hushed it up.

Except for the night in question, which only the two people involved experienced, her claims are likely checkable. I spent a week last spring trying to track down those whispers and came up with very little: He “[took] young women to meetings at Hooters.” “He bought young women drinks they hadn’t asked for.” One woman told me Parker made an off-color remark to her but didn’t remember what it was, and the person who was with her (I checked) had no memory of anything unusual. Another said she spoke to him about his behavior, which would contradict his claim in Medium that no one ever complained about him. Still, it doesn’t add up to much.

More interesting than the rumors themselves was people’s reluctance to share them with me. I had “clapped” on Parker’s Medium piece, so perhaps I was perceived as his ally. One person said I was not seen as a friend of the reproductive justice movement. Two others suggested I was the wrong person to write the story because I wasn’t an investigative reporter. Not very flattering, but in the end I thought they might be right. If I were a real reporter, I would have been able to get Russell’s supporters to talk to me.

Now comes Maggie Bullock with a deeply reported article in The Atlantic, “The #MeToo Case That Divided the Abortion Rights Movement.” She did six months of interviews and research, and she didn’t come up with much, either. The rumors almost always concerned someone else, who couldn’t be contacted or named. The incidents Russell regarded as proof positive of Parker’s being a serial predator didn’t happen quite that way, according to others who were there. Other than Russell, no women told Bullock they were raped, molested, assaulted, touched, or even propositioned. In August one person came forward to claim Parker sexually harassed her: Yamani Hernandez, the head of the National Network of Abortion Funds, said he made salacious remarks to her, including that “he would tell his boys back home I was one of his new honeys.” Playful teasing or sexist disrespect? Given that the man lost his reputation, his board positions, and the speaking engagements he told me made up the majority of his income, you would just expect there to be more there.

But then, not everyone agrees that Parker has suffered. The author and activist Robin Marty wrote on a listserv, “He never lost his career, instead he was removed from being invited to events, his role in boards, his speaking engagements, etc.” Oh. “Nobody has a right to be a celebrity,” the activist Mallory McMaster wrote me. “If someone has shown they’re willing to use their celebrity status or their power in a harmful way...people aren’t obligated to keep lifting that person up.” True enough, but what does fame have to do with Parker being disinvited from doing grand rounds at the New...
York University School of Medicine? The original charge of rape has now become something more nebulous: According to several women I spoke with, the problem was bigger than a lack of consent—a word that didn’t come up; the issue was a general power imbalance and Parker’s refusal to acknowledge it. He, a famous doctor and author 20 years her senior, had more power than Russell, a novice activist and freelance writer, and so it was incumbent upon him to acknowledge fault and step away. Reproductive justice, I was told, means centering the less powerful person. “I don’t think we should be working from a framework of the impact on abusers or people who have been accused of abuse,” McMaster said. “We should be working on creating safety.”

Many people reminded me of the disbelief and shaming that women who come forward have typically been subjected to. Of course, they’re right. Taking women’s claims seriously is what Me Too is all about. But it isn’t dismissing a woman’s claims to investigate them fully. Isn’t Parker owed something from the movement he has devoted himself to for decades? Even as I wrote that question, I wondered if I am guilty of “himpathy”—taking the man’s side because he is, after all, the man. I can’t say for sure that I’m not doing that, but as readers of this column know all too well, it would certainly be a first for me. What I mostly feel is that it’s wrong to treat someone as guilty without looking into the accusation. I’ve spoken to many people who have known Parker and worked with him for decades. They think what happened is a travesty.

Men accused in Me Too cases often argue that they were denied due process, and sometimes it can sound like a dodge or an excuse or an attempt to impose an impossible burden of proof. I get that. And yet Willie Parker was ousted and ostracized and humiliated on the basis of an accusation posted on a website and rumors of rumors so vague, it isn’t even clear if they are different claims or versions of the same ones. Meanwhile, the potentially verifiable claim of a cover-up by pro-choice leaders has disappeared.

I asked Parker what due process would mean in his case. He replied, “It would mean that if someone makes a charge, there would have to be some effort to figure out if the accusation is true.” Is that too much to ask?
TO END THE CONSERVATIVE STRANGLEHOLD, DEMOCRATS NEED TO GET SERIOUS ABOUT REBUILDING THE SUPREME COURT, FROM THE BENCH UP.
The Nation.

Here is not a single significant policy or initiative proposed by the candidates for the Democratic presidential nomination that can be considered likely to survive a Supreme Court review. Nothing on guns, nothing on climate, nothing on health care—nothing survives the five conservative, ideologically driven justices on today’s court. Democrats can win the White House with a huge popular mandate, take back the Senate, and nuke the filibuster, but Chief Justice John Roberts and his four associates will still be waiting for them.

If the Democratic candidates are serious about advancing their agenda—be it a progressive agenda or a center-left agenda or a billionaire’s agenda—then they have to be serious about undertaking major, structural Supreme Court reform. That reform is not airy wish-casting by a hard left dreaming of revolution. It is the practical first step toward getting any meaningful Democratic policies through all three branches of government. Either court reform happens or nothing happens. People who focus only on Congress or the presidency are like people who plan a road trip thinking only about their eventual destination. They forget that without gas, nobody is going anywhere.

Court reform can take a variety of forms, some blunt and partisan, others intricate and geared toward balance. But at its core, Supreme Court reform involves shaking up the composition of the court. And at its core, it is constitutional. That’s because the Constitution provides Congress with wide latitude in structuring the court.

The Supreme Court (and all federal courts) are established by Article III of the Constitution. And Article III has only this to say about the structure of the Supreme Court:

The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

That is founding-father-speak for “Whatever. We’ll figure this part out later.”

In fact, it took the country a long time to figure out how to structure the Supreme Court. The first version of the court had six justices. John Adams and his congressional allies changed that number to five in the months after his loss to Thomas Jefferson to prevent him from filling a judicial seat. Jefferson quickly repealed that law, putting the number back to six, and later added a seventh justice, because why not? Andrew Jackson pushed the court to nine justices; Congress added a 10th during the Civil War and then pulled it back to seven in 1866 as payback to President Andrew Johnson for, among other things, vetoing the Reconstruction Acts. Then everybody got over themselves. The current number of nine justices has been set since the Judiciary Act of 1869.

Only one serious effort to change the number of justices has been made since then, and most people have heard about it. Frustrated by a court that stood against his New Deal programs, Franklin Roosevelt proposed the Judicial Procedures Reform Bill of 1937. It would have allowed him to appoint up to six new justices to the court, for a total of 15. Democrats and Republicans alike opposed the bill, and it failed miserably. Between the unpopular proposal and an economic downturn, the Democrats hemorrhaged seats in the midterm elections of 1938. In the ensuing decades, nobody seriously attempted to futz with the Supreme Court again.

Until Mitch McConnell came along.

After Justice Antonin Scalia died in February of 2016, majority leader McConnell and the Senate Republicans unilaterally decided to change the number of Supreme Court justices from nine to eight for the remainder of President Barack Obama’s term. It was a scheme every bit as cynical and partisan as what Adams had tried to do to Jefferson, only McConnell’s gambit worked.

One year later, with the help of President Donald Trump, McConnell was able to replace Scalia with Neil Gorsuch. Then, to spike the football, Trump and McConnell responded to the retirement of Justice Anthony Kennedy (a swing voter on the court) by installing a hard-core conservative who was accused of attempted rape, Brett Kavanaugh. We’re now looking at a Supreme Court staffed for a generation with an illegitimate justice and a morally repugnant one.

Because of McConnell’s brazen maneuvers, court reform is suddenly back in vogue. Many of the Democratic presidential candidates have indicated an openness to the idea, while scholars and think tanks are pumping out reform proposals. Some of these favor reform in its rawest, tit-for-tat form: packing the court with two new justices.
to make up for what McConnell pulled with Gorsuch and Kavanaugh. But the idea of court reform is much broader, more nuanced, and frankly less partisan than what both proponents and detractors of court packing may imagine. There are proposals focused on changing how we choose Supreme Court justices. There are proposals centered on limiting the lifetime power of justices. There are proposals that seek to make the Supreme Court work more like every other federal court. And there are proposals addressing judicial ethics and the simple and noble goal of keeping people who have been credibly accused of sexual misconduct off the highest court in the land.

Some or all of these proposals can work. While reforming the Supreme Court is a legal issue—a number of the plans raise real constitutional questions—it is also, perhaps even primarily, a political issue. As Sean McElwee, the director of research and polling for the reform group Take Back the Court, told Politico, “We have too long tried to take on the court with the tools of law, but if the court is in fact a political branch, then instead of using the tools of law, you need to use the tools of politics.”

The public can be motivated on this issue, but it needs to understand that the fight is not for a Democratic Party Court but a functional one. Court reform is not a revenge fantasy; it is an attempt to restore the Supreme Court to legitimacy and fairness. There are now three main ideas for reforming the court: adding moderates to its bench, imposing de facto term limits, and enlarging it with more ideologically diverse justices who are bound to ethical guidelines.

Let’s define what those ideas actually mean and stop allowing Republicans to define them for us.

**Mandated Moderation**

Among the Democrats running for president, former South Bend mayor Pete Buttigieg has stood out as the only contender who has embraced a specific court reform plan. Other candidates, like Senators Bernie Sanders and Elizabeth Warren, have indicated that they are open to the idea. Some candidates, like former vice president Joe Biden, simply promise to nominate better judges. But Buttigieg has made court reform a signature part of his campaign.

His court reform plan, colloquially dubbed 5-5-5, is largely cribbed from a *Yale Law Journal* feature, “How to Save the Supreme Court,” by law professors Daniel Epps and Ganesh Sitaraman (who is a senior adviser to Warren). The core of the proposal is to expand the Supreme Court to 15 justices: five conservatives, five liberals, and five moderates, with each of the last group chosen by a vote of the 10 partisan justices. The 10 partisans would have traditional lifetime tenure. But the moderates, called visiting justices, would serve one-year terms, would be selected two years in advance, and would be chosen from the existing crop of Circuit Court of Appeals or District Court judges. Should the 10 partisan justices fail to agree on a moderate slate, the Supreme Court would lack a quorum and be unable to hear cases that year. As Epps and Sitaraman explain, a key point of this plan is to decrease the partisanship and rancor that now surrounds the Supreme Court:

Finally, the visiting Justices—and the explicit partisan-balance requirements—would significantly reduce the stakes of Supreme Court nominations. Because each political party would hold a set number of seats, and because additional Justices would join the Court no matter what, the fate of issues like abortion would never turn on any one confirmation battle.

Buttigieg understands this challenge implicitly. As he has remarked on the campaign trail, his very right to be married came down to the vote of one Supreme Court justice. In defense of the 5-5-5 plan, he told Vox, “We need to make serious reforms to the Supreme Court to restore America’s trust in the institution and make it less political.”

The 5-5-5 theory is wonderful, but it might not survive contact with reality. The first challenge is that the idea of a moderate judge is largely a myth. A judge who is seemingly moderate in one area of the law might be a whacked-out extremophile in some other area.

Consider former justice Kennedy. On the campaign trail, Buttigieg has held him up as an example of someone who would fit the definition of a moderate under the 5-5-5 plan. Kennedy gets this mantle because he sometimes broke with Republican orthodoxy, at least in the areas of LGBTQ equality and abortion rights.

But Kennedy, a Ronald Reagan appointee, was also a First Amendment absolutist whose extreme positions led him to write the *Citizens United* decision, which more or less destroyed campaign finance reform in this country. He might not have been the most fire-breathing conservative justice, but he was certainly a justice who sided time and again with cases that supported the Republican or Trumpian agenda. It was Kennedy who provided conservatives with the fifth vote they needed to ruin gun regulations in *District of Columbia v. Heller*, and he was the fifth vote in *Trump v. Hawaii*, the case addressing Trump’s Muslim ban.

The legacy of a justice like Kennedy highlights the challenge of finding moderates at any level of the judiciary. But there’s a second, perhaps more serious problem with the plan. The Constitution quite clearly gives the president the power to appoint justices; it says nothing about the members of the Supreme Court getting to choose their own colleagues.
Here is the appointments clause as it appears in Article II of the Constitution:

[The president] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

That seems fairly straightforward. It says the president “shall nominate” and the Senate can “consent” to the appointments of ambassadors, public ministers, and “judges of the Supreme Court.” Epps and Sitaraman try to get around this by arguing that the visiting justices would be “inferior officers,” and thus their appointments could be delegated by Congress to the Supreme Court.

Perhaps. But here’s the thing to remember when debating the constitutionality of any court reform plan: It’s the current Supreme Court, stacked as it is with conservative appointments, that will make the final decision as to whether a plan is constitutional. Who wants to be the one to tell Roberts that his power should be greatly reduced because his institution is full of partisan hacks and is broken beyond repair?

Buttigieg says that 5-5-5 is just one idea he’s floating and that he’s open to other solutions. This particular reform plan is what a fair-minded Supreme Court would reasonably look like. But we might need better justices, working with politicians who are better humans, operating under a better Constitution, to actually get there.

**Forever Is a Long Time**

A central goal of 5-5-5 and similar reform plans is to address the partisanship and politicization of the Supreme Court. But there are other proposals that accept the fundamentally political nature of the court and simply try to manage the issue in a fairer, less rancorous way. Term limits would be one way to achieve this, largely by making sure that the randomness of death (and the luck of the party that happens to be in power at the time) does not have generational consequences on our rights and freedoms.

The problem with term limits is our antiquated Constitution. Article III is pretty clear that Supreme Court justices hold their appointments for life: “The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour.” You can tell this line was written at a time when nobody got flu shots and people could die from pissing off Aaron Burr.

Yet there is a solution to the constitutional mandate of lifetime appointments, and it has already been implemented in every “inferior Court” in the country. Lower federal courts are still subject to Article III, but they offer judges the opportunity to take “senior status.”

Senior status is established by statute and has been deemed perfectly constitutional. It’s a semiretirement option offered to judges who reach 65 years of age and have achieved the Rule of 80—that is, their age plus their number of years in service on the federal bench equals 80. Senior judges still take cases, at their discretion or the discretion of the chief judge of their circuit. They still draw a full salary. In fact, over 30 percent of federal Circuit Court judges (just one step below the Supreme Court) have senior status, and those judges handle about 15 percent of circuit cases. But they don’t formally take up seats, which means that a president can nominate others to replace them. When the full circuit sits to review a case, only active judges typically participate.

The Supreme Court doesn’t do this, but it could. Fix the Court, a group dedicated to reforming the Supreme Court, has perhaps the clearest term-limit proposal. New justices would be limited to a single 18-year term. Those terms would be staggered so that no one president would get to name a disproportionate number of justices. When their terms are over, the justices would take senior status at full salary, avoiding the problem of lifetime tenure.
The idea of staggering justices across presidential terms is key. The obvious partisanship around Supreme Court retirements is one of the worst features of our current system. Kennedy, for instance, retired specifically so that a Republican president could appoint his replacement. He’s healthy, and if Hillary Clinton had won the Electoral College in 2016, he’d likely still be on the bench. Yet we find ourselves in a situation where 86-year-old Ruth Bader Ginsburg has to live until at least January 20, 2021, or women’s rights will be lost. Staggered term limits would ensure that electoral winners shaped the Supreme Court, not the Grim Reaper.

In recent years, the logic of this approach has become more popular. Polls have shown that a majority of Democrats and Republicans support term limits for justices. Fix the Court’s plan was recently endorsed in an open letter signed by 63 legal scholars from across the ideological spectrum. Conservative columnist John Fund has written positively about the proposal in National Review, of all places. Former presidential candidate Andrew Yang is on record as supporting the plan. Bernie Sanders has expressed interest in some version of term limits. Even one current Supreme Court justice, Stephen Breyer, has applauded the idea. “I think it would be fine to have long terms, say 18 years or something like that, for a Supreme Court justice,” he said. “It would make life easier. You know, I wouldn’t have to worry about when I’m going to retire or not.”

But there’s a catch. Just because senior status has been deemed a constitutional option for the lower courts doesn’t mean the same can hold true for the Supreme Court. As Harvard Law professor Laurence Tribe, a proponent of term limits in theory, explained the difficulties to me, “For several years, I was inclined to favor term limits, but I’m increasingly doubtful that the Supreme Court, as currently composed, would agree that Article III can be interpreted the way it would have to be in order to require the partisan Supreme Court to agree. For Tribe, this leads us back to where we more or less started. “That leaves only old-fashioned court packing, which I’m open to discussing but have serious political—though not constitutional—doubts about,” he said.

Supreme Circuit

The most inelegant and politically charged version of court reform is, ironically, the version least likely to be quashed by the Republicans on the Supreme Court. We know that raw, unadulterated court packing is constitutional because changing the number of justices has been done multiple times in our history. With enough political power in the Senate and the White House, Democrats could add two, four, even 100 justices and simply dare Republicans to pull off the same feat the next time they’re in control.

This kind of tit-for-tat might be a satisfying response to McConnell’s manipulation of the court. And it solves, or at least salves, the problem of Gorsuch’s illegitimacy and Kavanaugh’s alleged immorality. But adding, say, two justices is not really a reform. It’s revenge.

There is, however, a way to reimagine court packing as a form of judicial reform instead of partisan reprisal. The reform involves making the Supreme Court operate like the Circuit Courts of Appeal. These courts are partisan, to be sure, but they’re not facing the same legitimacy crisis that we’re seeing on the Supreme Court. That’s because, in addition to the fact that many have more members, they have two things the Supreme Court doesn’t have: panels and ethics.

Once they’re appealed to the circuit court, most cases are initially heard by a three-judge panel. These panels are chosen at random from the members of that circuit. The panel renders a decision, and most of the time, that ruling is final. It takes a vote by a majority of the circuit to agree to have the case heard en banc (that is, in front of a full court). Only a vanishingly small percentage of cases ever make it there. The Second Circuit, for instance, hears less than 1 percent of its cases en banc.

Panels are great for the appearance of legitimacy. The random wheel makes it impossible to predict which judges will get which case and thus the way that a case will go. The court can still overrule a panel en banc, but again, it takes a majority to do so. That’s a significant contrast with the way the current Supreme Court operates. It takes only four votes—a minority—for the court to grant certiorari and agree to hear a case as a full body.
Panels don’t remove partisanship from the lower courts. There’s a reason Democratic state attorneys general rush to the Ninth Circuit and the Republicans rush to the Fifth. But that’s why adding justices is a critical part of reform. Packing the court could mean more diversity—more ethnic diversity, more gender diversity, more diversity of thought and experience. That diversity itself would be a moderating influence on the court.

While I said earlier in this piece that moderate justices don’t really exist, moderate opinions are written all the time. They come into being when judges write opinions as narrowly as possible in order to attract a majority of their colleagues to sign on to them. The Ninth Circuit operates with 29 active judges, the Fifth Circuit with up to 17. In the case of en banc hearings, it’s almost impossible to imagine a string of 15-14 or 9-8 cases on those circuits that would have the same sweeping impact as the torrent of 5-4 opinions we can expect from the Supreme Court this June.

Moving the Supreme Court to a panel system is an idea that reformers, scholars, and even some judges have suggested. But to finish the job of making the Supreme Court act like a real court and less like the enforcement arm for whichever party holds a majority, we need to add one final condition: ethics reform.

The Supreme Court is the only court in the land whose judges operate under no ethical guidelines. The Constitution says the justices hold their positions while in “good Behaviour,” yet nobody has defined precisely what that entails for these nine people. I’d argue that sexual harassment is not good behavior. I’d argue that attempted rape and lying under oath are not good behavior. I’d also argue that holding a meeting and taking a picture with people who have active business before the court is textbook unethical and, as on any other court, should require justices to recuse themselves from that active matter.

Yet we live in a world in which Kavanaugh and Justice Samuel Alito can and do meet with a member of the National Organization for Marriage, an anti-LGBTQ group that has filed an amicus brief in a case that the court is considering on whether gay and transgender workers are protected under the Civil Rights Act. We live in a world in which Justice Clarence Thomas regularly hooks himself out to partisan Federalist Society events. Nobody can stop them from doing this, because the ethical rules that govern a random traffic court judge in Peoria do not apply to the Supreme Court justices.

Simply subjecting the justices to the same ethical rules that govern all other lifetime-appointed federal judges would be a sea change in terms of how the court operates. The partisan bias that is now so open that it threatens public faith in the court would at least have to be tamped down. Even more important, ethics reform would open the door to the kind of accountability that’s been needed since long before the Me Too era. A lifetime appointment cannot be a license for past or present sexual harassment.

Roberts has long resisted ethics reform (though he has recently been alleged to be studying the issue). That’s how I arrive at my preferred number for court packing: 10 additional justices, to overrule the nine others who may consider themselves beyond ethical accountability. A 19-member Supreme Court, hearing most cases in panels and subject to ethical standards, would look, feel, and act more like every other federal court. It would still be a partisan institution, and it could still be manipulated via deaths and retirements, but uplifting the Supreme Court to the standards in place for the lower courts would still count as meaningful reform.

There’s one final advantage to coupling court packing with ethics reform. If the Democrats win the White House and take back the Senate, adding 10 justices would give them the political leverage to make the Republicans an offer they couldn’t refuse: If they agreed to bipartisan support of a judicial reform package, then the 10 new justices could be evenly split between Democratic and Republican nominees—allowing Republicans to maintain their current, ill-gotten, one-vote majority. Reducing (continued on page 26)
Boston’s Roxbury neighborhood is a historically black part of the city, straddling a blighted past and a gentrifying future. It is home to some of Massachusetts’s oldest colonial sites and a large Somali community; it also has one of Boston’s highest crime rates. Police officers frequent its streets, squares, and transit hubs, enforcing a citywide stop-and-frisk program.

Roxbury is also the site of a federally funded initiative to stop potential terrorists. The Boston Police Department participated in what the plan’s proponents described as trust-building workshops with Somali youths under an almost $500,000 counterextremism project that ended last fall.

Six months after Donald Trump was sworn in as president, the Department of Homeland Security awarded $10 million to 25 law enforcement, public safety, and civil society groups across the country for programs intended to prevent people from embracing violent extremist ideologies. Some grant projects encouraged community members to report acts that might be seen as early signs of radicalization. Others trained cops to spot potential extremist behavior. Several mentored children with the aim of instilling in them a truer understanding of Islam, an aversion to violence, or simply more respect for the police.

The DHS invited initiatives combating any form of terrorism to apply when it announced the funding opportunity in 2016. But two-thirds of the applications chosen by the Trump administration focused on immigrants or Muslims, even though white supremacists and other domestic terrorists have caused more deaths and led to more arrests in recent years than extremists inspired by foreign ideologies. And several grant recipients described their projects as run-of-the-mill community programs, without disclosing to participants that they were funded by the DHS and were targeting those it deemed susceptible to violent extremism.

DHS officials and grantees said the projects sought to remove the barriers between minority groups and law enforcement and local leaders, not to engage in racial or religious profiling. They aimed to reduce antisocial tendencies on the premise that well-adjusted people are less likely to become radicalized. But civil rights advocates said they bred more fear than trust.

“A lot of Muslims now have to worry, ‘If I go to this after-school program... do they think I’m a ticking time bomb?’” said Fatema Ahmad, the director of the Boston-based Muslim Justice League, a civil rights group for those imperiled by national security policy. For the past three years, she has been meeting with minority communities around the country and hearing how counterextremism programs, from the FBI’s operations around 9/11 to the less conspicuous projects funded in 2017, have made them feel surveilled and mistrusted by local and federal authorities. She also opposes such programs for white, non-Muslim communities. Flagging noncriminal behavior as a risk factor for extremism threatens everyone’s civil rights, she said.
Inside Trump's divisive mission to identify and deter potential extremists.
Even before the existence of the program in Boston, the pressure on Somali Americans there was intense. Abdulkadir Hussein, the founder of African Community Economic Development of New England (ACEDONE), a Roxbury-based nonprofit organization for East African immigrants, told me that over the past decade and a half, he has gotten accustomed to federal agents asking about extremism in his community. “The FBI, Homeland Security—we’re always open-minded when they come to us,” said Hussein, an energetic man with a trim mustache. But the youth-police workshops alarmed him because they were initially presented as an ordinary kids’ activity, not as a federally funded counterterrorism program. “If you’re acting like you’re not treating us as suspicious when you clearly are, we won’t trust you.”

Sara (who asked me not to use her real name) is a single mother from Somalia who became a US citizen some years ago. She sported henna tattoos and colorful scarves under a puffy coat in the Boston winter. Like pretty much every mother of a teenage son, Sara said, she worries when he’s out at night—except that in this case she’s less worried about street crime than about his being targeted by overzealous cops. (Her son declined to be interviewed.)

“He’s afraid of walking in groups,” she said, flipping her cell phone anxiously in her hand. In 2014 the refugee center at Boston Children’s Hospital surveyed 120 young people of Somali descent and found that more than a quarter experienced some kind of contact with police in the past year. The Boston Police Department stopped releasing data about police-civilian encounters in 2016, a year after researchers from Columbia, Rutgers and the University of Massachusetts found that almost two-thirds of such encounters involved black civilians, even though they constitute just a quarter of the city’s population.

Sara’s son was exactly the kind of person the DHS-funded counterterrorism program hoped to attract: a Somali American teenager wary of cops. In its grant application, the Police Foundation, a policing research organization, asserted that by dispelling such negative perceptions, the workshops would make young people more resistant to terrorist recruitment. But by treating Somali youths as susceptible to terrorist recruitment in the first place, the project further alienated Sara and her son. Compounded by an atmosphere of xenophobia and Islamophobia, counterterrorism efforts made them and many others like them feel as though they were suspicious until proven innocent.

To find participants for its workshops, the Police Foundation partnered with a Somali community association as well as a national nonprofit that had run youth-police programs in Boston for years. The aim was to improve relations between Somali youth and the police, said Jay Paris, a director at the nonprofit who codirected most of the workshops. Although the young people in these DHS-funded workshops had opportunities to report anything that “concerned” them about their peers’ behavior, “this wasn’t about trying to ferret out violent extremists,” Paris continued. The teenagers recruited for the program were told that it was a trust-building exercise with police.

But local Somali leaders were skeptical, and their concerns grew as more details emerged. Shortly after the project was funded in 2017, the community association that had agreed to recruit Somali youths withdrew its support when its director saw the questionnaires to be given to the young participants before and after the workshops. The surveys asked questions like “What is your attitude toward Muslim radicalization in general?” with possible responses ranging from very negative to very positive.”

“I have grown increasingly uncomfortable with the intentions of the program,” wrote Deeqo Jibril, the association’s executive director, in an October 2017 e-mail to the project’s leaders, including Frank Straub, a director at the Police Foundation. “Focusing efforts specifically on one subgroup will ultimately create deeper divisions.” (Jibril did not respond to requests for comment.)

Straub acknowledged in an interview that he had not heard of any terrorism recruitment among Boston’s Somali community. But, he pointed out, Somalis in other parts of the country were involved in extremist plots, such as several from Minnesota who attempted to join the Islamic State from 2014 to 2016. “Clearly, there was precedent that had been set, primarily in Minneapolis, that showed the Somali community might be vulnerable to these types of activities,” Straub said.

After Jibril’s departure, the surveys were revised to omit questions about radicalization. But the Police Foundation plowed ahead with its counterterrorism program, partnering with another community organization, United Somali Youth, which hosted extracurricular activities and helped find jobs for young Somalis in Boston.

Sara’s son had been part of United Somali Youth for years. In late 2017, however, he told her about a new program that the group’s head, Said Ahmed, was encouraging kids to join. Her son told her that he would have to fill out a survey to participate and that it would involve spending time with police officers. She withdrew him from the organization immediately.

“We cannot trust the police when they’re calling our kids terrorists,” she said, noting that she learned from other parents that the DHS funded the program on the premise that Somali youths were prone to violent extremism. “They’re not terrorists. They’re born here. They grow up here. They come home here.”
Over the next two years, 46 police officers and 85 Somali children—the youngest of them 10 years old—participated in the counterextremism program. The youths spent the first three days of the five-day workshops with trainers, discussing their attitudes toward police and their experiences with racism and Islamophobia. Police officers joined them for the last two days. According to Paris, no potential terrorism threats were detected.

Only at the end of the training, he said, did a trainer who was present for all five days reveal that she was a cop. It was a way of showing that the police are regular people. “She didn’t want [the young people] to judge her off the bat,” Paris said.

The Boston Police Department declined to make officers who participated in the program available for interviews. In September 2019, Ahmed organized a “graduation” dinner for the families and officers who participated. It was attended by 21 Somali youths, 11 of their relatives, and two police officers. Ahmed refused to let me attend the dinner and—despite initially agreeing to an interview—soon stopped responding to my requests.

Some statements made by participants at the dinner were included, without attribution, in the Police Foundation’s final report to the DHS. Some came from the police officers—“the biggest takeaway for me was, these Somali kids are just like other kids”—but most were glowing endorsements from the youths. “I’m not scared anymore when cops look at me,” one said. “I’m thinking of going into the police academy,” said another.

The surveys administered before and just after the workshops showed an increase in the number of youths saying they trusted the police, though the report also noted that when surveys were offered months later, fewer than a third of the participants answered them.

For the Trump administration, the results showed that Boston’s Somali community had grown more resistant to the lure of violent extremism, even though there were no prior indications of terrorist involvement by anyone in the community. The youth-police workshops were touted within the DHS as one of the biggest successes of the counterextremism grant program, according to an official there. If the Police Foundation applied for a future grant to hold the same youth-police workshops in other cities, “they could easily bubble up to the top of the competition,” said the official.

Nasteho Ali, 23, an ACEDONE youth coordinator with a cheerful smile, said she was skeptical of the survey results, explaining that many participants joined because they relied on United Somali Youth to find summer jobs and play sports outside school. “But a lot of them are still having negative interactions with the police on their walk home from school or when they hang out late at night. There are these constant reminders that [the police] are actually not their friends,” she said. What’s more, none of the teenagers were willing to go on the record for this story about their time in the program—a reflection of how they feared losing access to United Somali Youth’s resources and being viewed with suspicion by their community.

Sara said the program actually heightened mistrust of the police for her son and his friends. “They’re more concerned now,” she said. “One thing I know: They’re not going to run to the police now. They’re afraid of the police.”

Like many of the Trump era’s national security initiatives, the Boston workshops and other counterextremism projects grew out of an effort launched by President Barack Obama. Dubbed “countering violent extremism” (CVE) when it was unveiled in 2011, the federal strategy took a softer, more preemptive approach to counterterrorism.

CVE strategy encouraged federal officials to foster relationships with local leaders who could identify areas where their community was vulnerable to radicalization, deterring potential terrorists before they committed any crimes. But even as zeal for the approach mounted in Washington, the authorities quickly found that many of the people who ended up in the programs resented the government for designating them as potential terrorists in the first place. Perceptions of CVE varied, depending on which side of the strategy one viewed it from. This tension between national security and civil rights concerns has been a recurrent issue in the various CVE programs, including in a Washington, DC, suburb that was one of the first laboratories.

Shortly after the 2013 Boston Marathon bombing, officials in Montgomery County, Maryland, began a campaign aimed at bridging gaps between the county’s different ethnic and religious groups. They teamed up with the World Organization for Resource Development and Education (WORDE), a nonprofit led by Hedieh Mirahmadi, a lawyer and a once devout Muslim who wore a head wrap.

With her history of working with law enforcement,
Mirahmadi seemed like the ideal person to foster greater trust of county officials in minority communities, said Tom Manger, a former police chief of Montgomery County. “I loved Hedieh back then. I thought she was a great partner.”

After initiating public seminars about the “warning signs” of violent extremism and an intervention system for Muslims flagged as potential extremists, WORDE became a poster child for the CVE strategy: proof that a federally backed but community-led effort could sniff out Muslim youths who appeared to exhibit early signs of radicalization and bring them in for counseling.

Yet WORDE wasn’t finding much evidence of radicalization. Of the few cases reported to community organizations, only one or two were referred to the county police, Manger said, and they were too minor to merit further action. “Referrals happened seldom enough that, in and of itself, it made the effort lose some steam.” Despite the lack of clear results, the group received federal funds and accolades, and Mirahmadi met with Obama and spoke at government CVE events. (Asked for an interview, Mirahmadi said she was no longer involved in CVE programs.)

Outside official circles, concerns began to swirl about WORDE that would haunt future CVE programs. A local civil rights coalition started hearing that WORDE was flagging Muslims as potential extremists based on the political views they aired, such as criticism of US foreign policy. One Muslim woman whose teenagers used to volunteer at WORDE, preparing meals for the needy, said she was “shocked” and “disappointed” when she learned that the group was trying to identify young people at risk of radicalization; she hadn’t known about its counterterrorism endeavors. When word spread that Mirahmadi had a side job with the FBI that she hadn’t disclosed, some Montgomery County residents feared she was sharing information about WORDE participants with federal authorities. (Mirahmadi’s LinkedIn page doesn’t mention WORDE, although it does say she was a senior consultant for the FBI from January 2015 to June 2017.)

Mirahmadi’s political views also began to interfere with her CVE work. In the year after Trump’s election, she began working with former Milwaukee sheriff David Clarke—a right-wing celebrity who nearly became an assistant DHS secretary—meeting with top Trump officials, and drifting further from WORDE. She left altogether after her FBI work became public, according to Manger. “As that came out and she got more political, it gave more fuel to the fire of the critics.”

Though she abandoned Islam, Mirahmadi is still trying to guide Muslims toward what she sees as a better path: born-again Christianity. “Maybe you want to evangelize to your Muslim friends but don’t know how,” she writes on her website, which advertises her new or- der: “Born again? WORDE’s Hedieh Mirahmadi, left; Paris Mayor Anne Hidalgo; and Vilvoorde, Belgium, Mayor Hans Bonté at a 2015 CVE summit in DC.

Rump’s professed view that Islam hates the United States has informed many of his policies. It has also helped reshape the federal CVE grant program, concentrating more money on initiatives that primarily target Muslims and immigrants. Under Trump, the DHS stripped several grassroots organizations and a group that combated white supremacy of CVE funds that were awarded under Obama. It also changed the criteria for grants to favor applicants that would partner with the police.

“That was one of the key factors that contributed to my decision to leave government,” said George Selim, who led DHS and interagency CVE programs and policy until July 2017. Trump’s polarizing rhetoric about minorities has left Selim questioning whether future DHS-funded CVE programs could achieve their intended purpose.

One of the beneficiaries of Trump’s changes to the 2017 program was the sheriff’s office in Hennepin County, Minnesota, home to a Somali immigrant population much larger than Boston’s. Unlike in Boston, Somali American youths in the Twin Cities have been prosecuted for trying to join the Islamic State. As a result, the reason for the Hennepin sheriff’s program was clearer, but its single-minded focus on immigrant youth made it just as alarming for community members as the Boston workshops.

Rich Stanek, the sheriff at the time, was a vocal Trump supporter who shared his belief that the refugees “pouring in” to his jurisdiction posed a security threat. His office used its $347,600 DHS grant to teach immigrant families—especially Somalis—to look for signs of radicalization in their children. In meetings at East African community centers, officers taught par-
ents about “social media threats” and “strategies to prevent radicalization.” Those who attended were encouraged to ask their children probing questions about what they did outside parental supervision, according to one community group that hosted a workshop. (The sheriff’s office declined an interview request.)

After a new sheriff was elected in 2018, those efforts ceased. But at a DHS roundtable in St. Paul in 2019, a member of the sheriff’s community engagement team said of one old tactic, parental monitoring of their kids’ online activity, “That’s what we teach the parents. ‘I can look now at my daughter. She’s doing homework now.’”

It’s impossible to know whether any kids have been pulled from the brink of radicalization by such efforts. But the Minnesota chapter of the Council on American-Islamic Relations (CAIR) has documented how the perception that Muslims are susceptible to radicalization endangers them.

CAIR periodically receives reports about Somalis in the state having epithets like “terrorist” and “ISIS” hurled at them by people wielding knives, drivers try to run them off the road, and high school bullies torment them. Only two Somalis were convicted of plotting or committing terrorist attacks on US soil from 1975 to 2015, according to a study by the libertarian Cato Institute.

The effectiveness of CVE programs is shaky at best because they rely on flawed stereotypes about what potential extremists look like, said Jaylani Hussein, the Minnesota CAIR chapter’s executive director, noting that the Somalis who tried to join the Islamic State in the mid-2010s had few of the usual indicators that CVE programs looked for.

In fact, before one leading member of that group was charged, court records show, his relatives began promoting local CVE efforts alongside the federal prosecutor who charged him. Also, some people joined the CVE programs out of fear that not participating would draw reprisals from authorities, according to Hussein.

“A lot of us are now really hesitant to be as involved with our mosques because we feel like they’ve become a compromised space for the community,” said Burhan Mohumed, a community organizer from Minneapolis. He said early CVE efforts in the Twin Cities were more heavy-handed than the projects the DHS funded in 2017. He recalled a 2014 meeting at his community center where DHS officials had attendees brainstorm about a scenario that struck him as racist: “Ali was radicalized. How can we help Ali?”

Since then, he said, the CVE programs have gotten subtler. “They’re disguised as just another social service. But the community as a whole is being seen as a terror hub, where everyone is someone that could possibly be radicalized.”

Alarming: When vocal Trump supporter Rich Stanek was the sheriff of Hennepin County, Minnesota, he used a $347,600 DHS grant for a CVE program focused on immigrant youths.
such program took place in California's Bay Area, where, as in Boston's and Minnesota's programs, local law enforcement sought to deter radicalization among Muslims. But after pushback from civil rights groups, the grantee abandoned its Muslim focus and morphed into a wide-ranging community program with a better shot at winning over residents.

In November 2018, two clinicians from a behavioral health nonprofit visited the Glenn Dyer jail in Oakland, California, to pitch a “mindfulness” workshop to its inmates. An imposing high-rise in downtown Oakland with the slit-windowed aspect of a medieval fortress, Glenn Dyer held roughly 420 individuals at the time, including federal inmates and former or current gang members.

Bearing flyers that read “Transform yourself” and “Free your mind,” the clinicians asked inmates if they wanted to learn techniques for dealing with stress, communicating more effectively, and healing past traumas. Their nonprofit, the Mind Body Awareness Project, has taught mindfulness in schools and jails for two decades. According to one inmate who participated in the program and answered written questions via e-mail through his lawyer, it looked like “a way to change behavior so that you help yourself and others.”

The clinicians did not tell the inmates that their workshops were funded by a $500,000 CVE grant to the Alameda County Sheriff’s Office in 2017. The original grant application pledged to “identify and support justice involved adults considered susceptible to radicalization and violent extremism,” noting that the county’s jails held 123 Muslims. To deliver mental health services to the inmates, the sheriff’s office partnered with a Muslim nonprofit, the Ta’leef Collective. But soon after the grant was awarded, Ta’leef’s executive director pulled out when local Muslim leaders voiced concerns about the CVE funding.

Rami Nsour was one such critic. An imam who co-founded a faith-based education and reentry services provider in the Bay Area, he questioned the program’s focus on Muslims. In his experience, he said, white supremacists posed a bigger threat in California’s carceral system. He feared that inmates would not be told what they were participating in, leading some to say things that could get them into trouble. “In prison,” he said, “you can be sent to solitary or denied parole just because someone says you’re teaching extremism.”

After Ta’leef withdrew, the sheriff’s office found a new partner in the Mind Body Awareness Project. In a 2019 report to the DHS, the sheriff’s office acknowledged “validity” in the fear that a CVE program “could theoretically be used in a way that was discriminatory toward Muslims.” To prevent bias from seeping in, the office sought evidence-based risk assessment tools for gauging a person’s violent extremism potential, consulting Brette Steele, a DHS official who facilitated federal-local terrorism prevention partnerships across California. “We told them that while there are such tools, none of them have been validated,” said Steele, who left government service in January 2019.

According to Capt. Martin Neideffer of the Alameda County Sheriff’s Office, Steele helped shift the program away from identifying potential extremists to “providing a preventative inoculation against antisocial behavior generally.” The first cohort—which included 18 Latinx, 14 black, and four white inmates—was selected based on criminogenic factors that could incline someone to violent extremism, such as a history of violent crime, antisocial behavior, and mental health issues. But the workshops avoided mentioning violent extremism and instead delivered lessons on such things as improving self-awareness and not letting fear alter one’s perception of events.

The inmate who participated in the mindfulness workshop said he wouldn’t have joined had he known it was DHS-funded and geared toward inmates who were judged prone to violent extremism. He said none of the workshop participants seemed at risk of radicalization. At the same time, he added, he benefited from the mindfulness training. “It helps you change to be a better person…. All inmates should take the program,” he said.

Despite their controversial reputation and ambiguous results, federally funded CVE programs in the United States are not going anywhere. Another $10 million in “targeted violence and terrorism prevention” grant funding was included in the 2020 DHS budget. Administration officials have said there will be federal support for continuing programs that the government deems successful.

“The grant programs will show us what works,” said Elizabeth Neumann, the top DHS official in charge of CVE, at a Heritage Foundation event in February 2019. “There’s momentum to institutionalize a lot of what’s been happening.” The DHS has identified roughly a dozen grant-funded programs as models it would like to replicate, according to an official.

Several recipients of the 2017 grants fear that this administration could tarnish CVE. “The Trump administration has shown itself to be very biased toward Muslims, immigrants, and people of color, and I have very little trust that their institutionalization of otherwise good work would be true to the intentions of what was developed,” said Junaid Aafe, an attorney who was awarded his CVE grant while working at an Illinois criminal justice agency.

Unlike the programs in Boston, Minnesota, and
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Oakland, Afeef’s project avoided targeting minority communities from the outset. He received $187,877 to develop a public training curriculum for intervening with “individuals who exhibit warning signs of radicalization to violence,” regardless of ideology. The curriculum his agency produced explicitly discouraged considering race or religion when assessing signs of radicalization; it concentrated instead on behaviors that could signal “imminent danger,” including expressions of hopelessness and severe agitation. The curriculum was tested once before the grant ran out.

But for some in Illinois’s Muslim community, the grant represented a wasted opportunity to combat violent extremism effectively. According to Shabbir Patel, the security director at one of two mosques listed in Afeef’s application that later dissociated themselves from the project, he agreed to partner with Afeef because he thought the project would help protect his mosque against threats like the armed, intoxicated white man who entered the building during the Muslim holy month of Ramadan in 2019 claiming to be an undercover cop. (Afeef said that he was clear with Patel about what the grant would fund and that he could not figure out how Patel misunderstood.)

Patel said he expected the grant to cover security improvements like bulletproof windows and alarm systems. When he realized it would instead fund a training course on identifying and intervening with people who exhibit warning signs of radicalization, he pulled out. “We needed actual things that cost money, not some person with a PhD coming in and telling us, ‘Watch this guy, watch that guy,’” he said. “Our community doesn’t need more paranoia.”

But that paranoia seems unlikely to dissipate. As long as marginalized minorities are the targets of counterextremism programs, their mistrust of the government will persist. And as long as they mistrust the government, the authorities will continue to see in them the potential for violent extremism.

(continued from page 17)

Kavanaugh to one of 19 and subjecting him to ethical strictures is a bigger long-term goal than expanding the court to 11 and hoping Republicans never win the presidency again.

History has shown us that purely partisan court packing doesn’t work or is easily overcome by the next administration. Nonetheless, court packing might be the only tool for court reform the Constitution currently allows. Most reformers want a scalpel, but the Constitution has perhaps provided only a hammer. Still, in the right hands, a hammer can be used to build something.

SUPREME COURT REFORM REMAINS A NASCENT PREOCCUPATION, limited largely to wonks and advocates, but some kind of reform must happen under the next Democratic administration, whenever that is. Republicans have changed the rules when it comes to Supreme Court appointments. We can’t just go back to the way things were before Kavanaugh, before Gorsuch, and before McConnell.

The Republicans didn’t win the Supreme Court in one day or in one election. They spent a generation figuring out how to take control of it. They poured money and political resources into promoting their vision, and they built an entire infrastructure to help them pull off a full-scale heist of the Supreme Court in broad daylight.

Democrats must battle back. These court reform proposals are the first wave. They’re good. They’re nonpartisan. If Democrats can’t win cases at the Supreme Court, winning anywhere else won’t really matter.

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These days, everything wants to kill us. “Postapocalyptic” was the go-to modifier of the last decade, as the media discovered thousands of ways to sex up our obliteration. Certainly there’s no shortage of inspiration. Every recent threat to human safety or human rights seems to have an analogue in pop culture: The Hunger Games for wealth inequality, The Handmaid’s Tale for the patriarchy, Watchmen for white supremacist terrorism, The Rain for pollution, Black Mirror for techno-fetishism, Person of Interest for mass surveillance, Contagion for pandemics, and dozens of zombie narratives as a kind of catch-all for the collapse of civilization. Of course, the irony is that you can watch and game and post all day about the world ending, and though it sort of feels as if you’re doing something about it, you’re not really doing anything at all.

One wonders what the consequences of such widespread cultural eschatology might be and whether it’s a natural coping mechanism or a self-fulfilling prophecy. It may be that a generation of young people has not only internalized the idea of an impending apocalypse but is also crafting its own art from that internalization. The last decade ended with a death wish; young doomers ate Tide Pods, and they joked about having celebrities back over them with dump trucks. This is a generation raised on Post Malone (“It seem like dying young is an honor”) and Lil Peep (“I ain’t try-na live, pray I die”), and its collective idea of a good time is watching 13 Reasons Why and joining Facebook groups like Memes That Kill You Instantly. If
millennial culture has warned us that the world is going to kill us, Gen Z culture has responded, “Not if we get there first.”

You could read both tendencies as ways to avoid caring too much. Which might make you wonder what the alternatives are, whether there’s a better way to reckon with threats to human survival. Jenny Offill’s latest novel, Weather, takes up this question. Its characters suffer from the opposite problem: They do almost nothing but care. Mainly they worry about climate change—how it will affect them, what they should do about it now, and what kind of long-term preparations they should make as it continues. Yet all this climate anxiety seems to do is ruin their sleep. “Everyone I know is trying to sleep less,” the narrator, Lizzie, muses. “Insomnia as a badge of honor. Proof that you are paying attention.” These literary characters, full of empathy, seriousness, and sincerity, seem just as paralyzed as everyone else.

A follow-up to Offill’s 2014 novel Dept. of Speculation, about a middle-aged writer and mother caught in a strained marriage, Weather is also about a middle-aged mother caught in a strained marriage but now also deeply troubled by the impending climate catastrophe. In this way, Weather is definitely not what I’d call entertaining; it’s a beach read for those who like to worry about the beaches. But the book also poses a set of important questions to us. If pop culture asks us to find the fun in human extinction, then Weather does the opposite, insisting that we take seriously the frazzled, burned-out experience of living when you know we’re all in for a very bad time.

Set immediately before and after the 2016 election, Weather’s plot is scant. Lizzie works in a university library and has a recovering addict brother. She answers depressing e-mails part-time for a doomsaying climate podcast and has an emotional affair with a war reporter. The usual dramatic beats you’d find in a domestic novel—fights, cheating, divorce—get skipped. The book’s foreboding tone leads us to expect something bad will happen, but not much happens at all.

In part, that’s because the worst has already happened—in real life, to all of us. We’ve already blown past 400 ppm of atmospheric CO₂ and locked in at least 1 degree Celsius of warming from pre-industrial levels, with many places seeing a rise of 1.5°C. At a 2°C rise, NASA tells us, drinking water will become scarce, and droughts will increase, which will probably lead to famines, and every year will bring more Katrinas, Sandys, Harveys, and Marias. Whatever doesn’t drown in the rising sea will—like Australia in recent months—parch and burn. Some 8 percent of vertebrate species will be in danger of extinction, and mosquito-borne diseases will skyrocket. Also, humankind will prove to be one of the worst hazards: As climate refugees flee the Global South, fascist leaders will scapegoat them and turn the richer nations into fortified garrisons.

Novels should be able to tackle anything, but climate change seems uniquely resistant to narrative. It’s inconceivably vast and complex, and aside from Greta Thunberg, there are few recognizable heroes. The direct cause—invisible gases in the sky—feels remote and abstract, and the deadly parade of hurricanes, floods, wildfires, and droughts are normalized by their very frequency. All of which makes for a story that’s as boring as it is terrifying.

The current attempts at cli-fi tackle this conundrum in different ways. Ian McEwan in Solar and Barbara Kingsolver in Flight Behavior bring things down to human scale by making climate change a picturesque backdrop for personal drama, while far-future novels like Margaret Atwood’s MaddAddam trilogy, Paolo Bacigalupi’s The Windup Girl, and Anna North’s America Pacifica envision speculative worlds so intricately alien as to seem far-fetched. On the other hand, fictions about the future we might well live to see, like Nathaniel Rich’s Odds Against Tomorrow and Claire Vaye Watkins’s Gold Fame Citrus, are terrifyingly plausible—enough to send any normal reader into denial. It’s not that these novels fail on their own terms but that the demands of storytelling often run at odds with making climate change feel urgent; it’s either not real enough or all too real.

Offill skirts many of the difficulties of portraying climate change by not portraying it at all. This is a post-apocalyptic novel, and its subject is dread, not disaster. We get none of the usual tableaux of flooded skyscrapers, huddled masses, or Cat 5 hurricanes. Where action’s concerned, we mostly watch Lizzie go to work, pick up the mail, and clean mouse crap off her spice rack. Like her brother, she’s an addict, but in her case the Internet is the spike in her vein. She spends her nights “googling prepper things” like “climate departure” and “doomsteading.” She becomes a lint trap for scary factoids, such as how New York City’s 6,000 miles of sewer pipe are all below sea level, and the book’s main trick is to imbue the mundanity of the present with the horror of the future. When walnuts hit Lizzie’s roof, she hears gunshots. Someone mentions apples, and she thinks, “No more apples soon; apples need frost.” Even a normal game of Settlers of Catan puts her in mind of the coming resource wars: “If you give me wood, I’ll give you some wheat and a brick.”

Offill’s focus on capturing these wabi-sabi moments of dread is so encompassing that the book does little else. Reading it is like trying to remember a whole year of daily occurrences, stray impressions and random events flitting by without a strong sense of continuity or time passing. In lieu of a plotline, we get recurring motifs—passing mentions of mild weather (“weird clouds, hazy sun,” “it’s nice out”), survivalism, stabs of white liberal guilt, some knee pain. In little inset boxes, we see the e-mails Lizzie answers on behalf of her podcaster boss, and over the course of the book her replies grow darker and increasingly gnomic:

Q: How do you maintain your optimism?
A: If you are not getting enough iron, put a few iron nails into a bowl of lemon juice and leave it overnight. In the morning, make lemonade out of it.

Given the ecological interest, maybe it’s fitting that so many aspects of the book are recycled, specifically from Offill’s previous novel. Both are narrated by a bookish, somewhat unhappily married New Yorker with a young child, a casual interest in Buddhism, and a side gig writing for a powerful person. Both are bisected by game-changing events that happen in the wings, separate from the main action, and both stage the intimate heartaches of daily life against the wonders of the natural world. Both even include podcasts about climate change (though they’re called “recorded lectures” in Dept. of Speculation). Most suspiciously, both take the form of a collage, a slender dossier of factoids, proverbs, parables, jokes, found texts, and other ephemera mixed with bursts of narration.

Yet if Dept. of Speculation is wistful and contemplative, Weather is tinged with political ire, however understated it may be. Lizzie takes a few sidelong potshots at
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Donald Trump and capitalism but reserves her choicest words for the anti-humanism of Silicon Valley, the technocrats less interested in saving humankind than in abandoning it, whether it’s by jets to Mars, bunkers in New Zealand, or transhuman exits from meatspace. She reads of plans to genetically engineer humans with cat’s eyes that would require less light. “These people long for immortality but can’t wait ten minutes for a cup of coffee,” Lizzie’s boss quips.

You might expect a novel about climate change to serve as some kind of rallying cry, yet Offill doesn’t provide much in the way of redemptive uplift or even any handy coping tips (though here’s one from me: Log off). Like Lizzie’s boss, who complains of having to tack an “obligatory note of hope” onto something she is writing, Offill is reluctant in Weather to offer false comfort; if anything, it rules out the usual avenues of solace.

Lizzie’s failed attempts at meditation merely underscore her inability to detach from the material world, and everything from using antibacterial soap to eating a ham sandwich is cause for guilt. Naturally, this puts a strain on her relationships—her fed-up husband calls her a “crazy doomer”—and her shortcomings as a parent are magnified, as in this exchange with her son:

A few days later, I yelled at him for losing his new lunch box, and he turned to me and said, Are you sure you’re my mother? Sometimes you don’t seem like a good enough person.

He was just a kid, so I let it go. And now, years later, I probably only think of it, I don’t know, once or twice a day.

Even the respite she finds in her affair with the war reporter, whom she meets in a bar, is eventually spoiled. “So sure, maybe I could charm him for a while,” she reflects, “but when the shine wore off? How long until he figured out I can’t chop wood or light a fire?”

Although climate change will likely ravage everyone but the billionaires, it’s still important to point out that white, middle-class librarians in New York won’t have the worst of it, and it’s maybe for this reason that the novel somewhat sheepishly avoids any direct polemics or calls to action, though it drops hints throughout.

“Survival instructors have a saying,” Lizzie muses. “Get organized or die.” Her boss, on the other hand, advises her to get “very, very rich.” But it may be that Offill does not believe that is the role of fiction. Novelists, after all, are under no obligation to provide solutions; their books aren’t survival guides. They only have to tell compelling stories, and Offill succeeds in distilling the queasy, tranquil terror of a 93°F day in October—like the one we had in New York last fall.

But it’s natural to be discomfited by the fact that at the novel’s end, Lizzie is still mired in the same anxious paralysis, and one is still left with unanswered questions about how we might be able to escape it. Is Weather just an exercise in highbrow bourgeois hand-wringing? Is reading—and for that matter, writing—empathetic stories while the world warms any better than watching zombie movies or posting Tide Pod memes? With 12 short years on the clock to avoid the worst, can anyone justify sitting in a room for several years to produce any work of art, much less one made of trees? To misquote Auden, if novels make nothing happen, should we make them? As a tree killer myself, I often feel that writing in the face of climate change is like seeing a mushroom cloud, turning to your assembled screaming neighbors, and saying, “Yo, let me tell you about the weirdest dream I had last night!”

A more productive way to read Weather might be to understand its dread as willfully exhausting and useless. By the end of the book, it’s impossible to think that worrying alone is going to solve anything. At the very least, dread implies a desire to live, and many of us who have done enough worrying are ready to hit the streets. Even the doomer zoomers are now turning out. At last September’s worldwide climate strike, a kid in a black punk get-up held a sign that said, “I want to die but the planet doesn’t.”

Despite its steadfast lack of wishful thinking, Weather finally drops its pessimistic kayfabe after its conclusion, as if to express that activism must extend beyond the novel. In a postscript, Offill adds a link to a website, obligatorynoteofhope.com. As I write this review, the link leads only to teasers for essays on “Why collective action is the antidote to fear and dread,” “How to get involved in the fight for social and climate justice,” and “What to do if (like me) you hate to march.” The essays weren’t available yet; much like the problems, the answers, I really hope, are “COMING SOON.”
For over a year, Japanese crews have been diligently at work transforming a section of Oura Bay, on the eastern coast of Okinawa, into an American airfield. Using sand and rock brought in on barges, they have buried a section of reef and are filling in the seabed so that US planes can land on top. Construction started in December of 2018, when after years of administrative battles between Tokyo and the Okinawan prefectural government, Japan’s defense minister announced there would be no further delays. That left a small fleet of locals in kayaks as the last line of resistance. As the construction proceeds, they paddle around the ships with banners demanding the landfill work be halted and that American forces leave the island.

Today, it is really only in Okinawa that the US military presence in Japan is so contested. American bases take up about 15 percent of the island, and although Okinawa accounts for just one-third of 1 percent of Japan’s total territory, it houses roughly half of the 50,000 US personnel stationed in the country. The rest of Japan wears the US military presence far more lightly. If it were not for the occasional sighting of a uniformed service member here or there, you could almost forget that Japan is the cornerstone of American power in the Pacific.

This was not always the case. Sixty years ago, from the spring of 1959 to the spring of 1960, a struggle over Japan’s relationship with the American military sent the entire country into paroxysms. During these months, as many as 30 million people—about one-third of the population at the time—took part in demonstrations against a security treaty between Japan and the United States. Formally called the Treaty of Mutual Cooperation and Security, the agreement is more commonly known by its Japanese abbreviation, Anpo. First signed in 1951, it granted the United States a nexus of bases across Japan in exchange for the end of the American occupation.

The demonstrations against Anpo’s renewal remain the largest protest movement after the uprising

The Anpo treaty protests and the unmaking of Japan’s postwar left

by COLIN JONES

Colin Jones is an associate researcher at Columbia’s Weatherhead East Asian Institute. He is writing a book about empire, law, and social policy in East Asia.
in Japanese history. And while they ultimately failed, a recent book by Nick Kapur, *Japan at the Crossroads*, frames the months surrounding the protests as a crucible of postwar politics. Until the 1960 demonstrations, Kapur writes, it was not clear whether “Japan would...one day become a socialist (or at least democratic socialist) nation and chart a neutralist course in international affairs or even tilt toward the communist bloc, or alternatively...revise its constitution, aggressively rearm, and revise its domestic laws to restore some aspects of the prewar social and political system.” As it happened, neither scenario came to pass. Instead, the cascade of adjustments that followed the unrest of 1960 fashioned a new settlement that exchanged the political struggles of the 1950s for rapid growth and locked in a practically unshakable conservative majority.

This is a familiar story in its general outline. The reestablishment of conservative rule after World War II and the social quiescence that attended Japan’s “economic miracle” are among the hoariest grand narratives of postwar historiography. But in six thematic chapters that cover a range of subjects, from diplomacy to labor history to art and literature, Kapur fleshes out the way that the protests and the reaction to them profoundly changed the country. During the Anpo demonstrations, the looming questions of postwar politics—not only Japan’s place in the world but also the nature of its democracy—turned on the country’s relationship to US power. They still do, giving Kapur a compelling case that Anpo was the origin of so much of what we associate with contemporary Japan.

To understand how the opposition to the Anpo treaty spiraled into something much larger, Kapur begins his narrative in the early years of the American occupation. Charged with a mandate to “democratize and demilitarize” Japan, Gen. Douglas MacArthur and his American staff imposed a sweeping series of reforms that were as stunning for their idealism as they were for their imperiousness. Much is made of the postwar Constitution, which renounced war and accorded new civil and social rights to Japanese citizens, but just as important in these years was the legalization of the Japanese left. The wartime state violently suppressed socialists and organized labor, even as its breakneck drive to industrialize bred militancy on the factory floor. When Japanese workers were given the right to organize in late 1945, they leaped at the opportunity. Union membership exploded from 380,000 in December of that year to some 6.7 million by 1948. May Day demonstrations—which had been banned for a decade—returned in full force, transforming Tokyo and other cities into what one anxious politician remembered as “a sea of red flags.” Suddenly, Japanese socialists and communists had viable political parties to represent them.

The outpouring of left-wing activism in Japan was short-lived. By 1948, with the stark binaries of the Cold War beginning to take hold, occupation authorities revoked the right to strike for public workers and then looked the other way as Japanese conservatives purged thousands of left-wing employees from the government and private sectors. The same year, in an effort to fashion Japan into a bulwark against communism, the Americans rehabilitated a number of disgraced wartime leaders and began prodding the Japanese government to rearm.

Among those granted amnesty on Christmas Eve 1948 was Nobusuke Kishi, a shrewd and callous bureaucrat who oversaw a regime of forced labor in northeastern...
China in the 1930s and had signed the declaration of war against the United States. Restored to public life, Kishi went on to broker the unification of Japanese conservatives to form the Liberal Democratic Party (LDP) in 1955. In 1957, he was made prime minister, placing him at the center of the Anpo demonstrations three years later. That a man the Allies indicted as a war criminal emerged as one of America’s greatest supporters in Japan was one of the many strange ironies that marked the US occupation, as anticommunism eclipsed earlier democratic commitments.

A revolution in political rights and a counterrevolution to suppress the left—these two faces of the occupation’s reform efforts clashed over America’s final demand, the Anpo treaty. In exchange for the return of national sovereignty in April 1952, Japan gave away a share of it in advance, ceding to the United States close to 3,000 military facilities across the archipelago, as well as the administration of the Ryukyu Islands, including Okinawa. No expiration or renewal date was specified. Under the terms of the treaty, the United States could deploy its forces in Japan to anywhere in Asia without consulting the Japanese government. Scandalously, America was even permitted to use its troops against the Japanese, in the event of “internal riots or disturbances”—a nod to the enduring American fear of a revolution from the left.

Critics across the political spectrum in Japan decried this arrangement. On the left, no small number would have preferred an alliance with China and the Soviet Union. Many more—about half the country, according to contemporary polls—favored an official policy of neutrality. The only real constituency for the Anpo treaty was a faction of LDP members who saw advantages in outsourcing Japan’s defense spending to the United States. And as it happened, they were the ones in power.

Japanese liberals and the left were dead set against Anpo. American nuclear testing and a series of conflicts between US troops and Japanese residents served to widen the opposition. In one instance, local women built shanties in the middle of a US artillery range near Mount Fuji and kept them occupied around the clock. An even more momentous struggle unfolded in Sunagawa, a village just west of Tokyo, where farmers were joined by members of the communist student league Zengakuren in a two-year campaign against the planned extension of a nearby American air base. The bloody clashes that took place around the perimeter of the base, pitting unarmed teenagers against police with batons, shocked the conscience of the nation. In the face of the public’s anger, President Dwight Eisenhower agreed to a 40 percent drawdown in the number of Americans stationed in Japan. The growing opposition gave Kishi the leverage he needed to renegotiate the terms of the alliance. But by then, millions of Japanese did not want a better deal with the United States. They wanted no deal at all.

The anti-Anpo movement was a broad church by the spring of 1959. In the ranks of the People’s Council for Preventing Revision of the Security Treaty, an umbrella organization established that year, were 134 organizations that included not only socialists, communists, and union members but also anti-nuclear and anti-base activists, student groups and women’s societies, Sinophiles and farmers’ cooperatives, and a slew of prominent intellectuals and artists. A shared antipathy for the American military bound these otherwise disparate groups together.

A miscalculation by Kishi catalyzed the opposition into an uprising that spread beyond political organizations to the population at large. On May 19, he attempted to force a vote on the revised security treaty in the lower house of the Diet. When Socialist Party representatives staged a sit-in to block it, the LDP speaker called in 500 police officers to clear the legislative chamber. People across the country watched on live TV as the members of the main opposition party were dragged one after another from the building. Then, shortly after midnight, the remaining legislators convened to vote on the new treaty. As the roll was called, the camera for the national broadcaster NHK lingered on the empty seats where the Socialists should have been.

The anger was instantaneous. “If we accept that the government is omnipotent, then we cannot also accept democracy,” declared the liberal political theorist Masao
Maruyama in a scathing speech. “This is the choice that has been laid before us.” What followed was a solid month of protests. Across the country, hundreds of thousands assembled to call for the nullification of the treaty. Labor threw its weight into the struggle, with three general strikes called in June alone. But what most impressed observers at the time was the presence of the unaffiliated, as white-collar workers and mothers with babies strapped to their chests joined the crowds.

During the climax of the protests on June 15, the area around the Diet building offered a tableau of the vibrancy and violence at the heart of the postwar experience. Right-wing thugs wielding nail-studded staves laid into the protesters; students from Zengakuren stormed the gates of the Diet, occupying the inner compound into the night; and the demonstrations recorded their first death when Michiko Kanba, a young woman from Tokyo University, was killed as the students were driven back by riot police.

Kanba was given a martyr's funeral three days later, as some 300,000 people jammed the streets surrounding the Diet in a final attempt to repeal the treaty. The LDP refused to change course. At midnight, a month after the revised treaty was voted through the lower house, it went into effect, per Diet procedure. “Many of the protesters sat where they were in silence until dawn before finally going their separate ways, stunned that the expenditure of so much energy and enthusiasm had seemingly all been for naught,” Kapur writes. Kishi announced his retirement four days later. The protests continued for a few more weeks, but in time they, too, reached their end.

The scale and intensity of the Anpo demonstrations took virtually every party involved by surprise. Politically active groups, from furthest right to furthest left, generally assumed that the average resident of Japan was apolitical. That so many people joined in the demonstrations seemed to augur a new day in Japanese politics. Writing in the summer of that year, Maruyama hailed the demonstrations as a vindication of Japanese democracy. For him, it proved that a system of government imposed by the American occupation had been embraced by the people.

Despondency was the most common reaction on the left. The artist Tetsumi Kudo literalized his despair by adorning a Tokyo gallery with flaccid duct tape sculptures in a series he titled The Philosophy of Impotence. Yet the left’s leadership also saw the demonstrations as the beginning of a new mass line. “Now, more than ever, we will no longer be completely absorbed by defensive struggles,” crowed the Japan Socialist Party Central Committee in a July 1960 report. Even some conservatives bought into this idea. In 1963, Hirohide Ishida, a leading figure in the LDP, harangued his party to modernize or face death by demographic change. Urbanization, rising education levels, and the growth of the industrial sector at the expense of agriculture, he warned, presaged a decisive socialist majority by 1970. As it turned out, the opposite was true: Within a decade, socialism’s electoral prospects had crumbled.

What happened? The standard answer is economic growth. By the mid-1950s, the Japanese economy had entered what was then the fastest sustained period of growth in the history of modern capitalism. (China has since outstripped Japan’s record.) A good portion of this was achieved with industrial investment bought by suppressed domestic wages. But in a masterstroke, Hayato Ikeda, who replaced Kishi as prime minister, moved to dramatically raise workers’ wages, thereby shifting the economy from an export-led model to one based more on domestic consumption and buying support for the LDP in the process. The political significance of Ikeda’s Income Doubling Plan is difficult to overstate. In 1960, the JSP campaigned on a promise that under its rule, every Japanese family would be able to afford to drink milk three times a day. Ikeda’s policies doubled wages in seven years and opened the material trappings of a bourgeois lifestyle to all but the indigent. In doing so, they put national politics on an entirely new footing. When polled in 1967, nearly 90 percent of the Japanese saw themselves as middle class.

Kapur gives this account of the LDP’s success its due, but his real interest lies in the political transformations on the left and the right that took place after the signing of Anpo. Again and again, he shows how the issues that rent Japanese society through the 1950s were blunted not only by growing prosperity but also by new institutions that channeled conflicts toward less contentious and less public means of resolution. The realignment of US-Japanese relations was a case in point. The Eisenhower administration took Japan’s dependence for granted, and its diplomacy reflected this assumption; “proddings approaching the brutal” was how Secretary of State John Foster Dulles characterized his favored style of communicating with his Japanese counterparts.

After the chaos of 1960, President John F. Kennedy added a charm offensive to America’s repertoire in order to shore up the two countries’ relationship. To make up for the restrictions imposed on Japanese trade with China, the United States granted Japanese products privileged access to American markets. This largesse was paired with White House invitations to Ikeda and a concerted effort to consult more closely with the LDP on matters that affected Japan. A pattern of amicable collusion between Japanese and American leaders developed. To avoid another Anpo moment, they confined security matters to handshake agreements and secret pacts. Thus it wasn’t until 2010 that the Japanese government admitted it allowed the United States to keep nuclear warheads on Japanese territory during the Cold War, contradicting what the public had been led to believe about Japan’s prohibition of nuclear arms.

Domestic politics followed a similar pattern. Tacking away from Kishi’s brute-force approach, Ikeda tabled constitutional revisions, a fixation for LDP hard-liners since the end of the occupation, and began coordinating major policy decisions with the opposition parties. This gave them enough leverage to win some major concessions on welfare policy over the next decades, but it also co-opted challenges to the LDP’s rule. And wherever conciliation fell short, the courts and the police stepped in. Only weeks after the Anpo demonstrations ended, the Supreme Court upheld a Tokyo ordinance that required protesters to obtain a license before taking to the streets. Japanese police, whose budgets doubled in the five years after the demonstrations, found ways to curtail public gatherings through anti-loitering statutes and other existing laws.

What happened to the left in the midst of these political and economic changes presents the thorniest problem for Kapur’s argument. There is no doubt that 1960 was an unmitigated disaster for the left. In August, only months after the Anpo demonstrations failed, organized labor suf-
fered a crushing defeat at the Mitsui Miike coal mine, when the largest strike in Japanese history was broken with deception and violence. In October the leader of the Socialist Party, Inejiro Asanuma, was murdered on live TV by a fanatical teenager who referred to himself as “Japan’s Hitler.” (In one of the stranger aspects of American politics, the alt-right provocateur Gavin McInnes celebrated Asanuma’s assassination by reenacting it at the New York Metropolitan Republican Club in October of 2018, casting himself as the killer.) Kapur paints these events as harbingers of the Japanese left’s impending decline, but this is too deterministic and obscures the remarkable parallels between the fate of the left in Japan and across the world.

The strike at Miike was indeed a watershed moment for labor. In its aftermath, union leaders largely gave up the militancy they had relied on. Strikes were replaced with stage-managed wage offensives to secure annual raises that were worked out beforehand in negotiations with management, yet not until the 1980s did Japanese unions witness a major drop in their rolls.

The Japan Socialist Party presents a more ambiguous case. Unlike many of the socialist parties of Europe, the JSP never really tuned down its Marxism. Into the mid-1980s, it continued to insist on the need for revolution, albeit one that would be carried out through parliamentary means instead of violence. Kapur echoes the scholarly consensus in arguing that this dogmatism prevented the JSP from ever posing a serious challenge to the LDP majority, and he attributes it to the leadership’s overly optimistic interpretation of the Anpo protests. But it is hard to see this as the definitive turning point in the party’s trajectory or its ideological dogmatism as the primary source of the party’s weakness.

The JSP’s parliamentary influence peaked in 1958 with around 36 percent of the seats in the lower house. The party lost seats in the following years, when a right-leaning faction sheared off to form the Democratic Socialist Party. But in the national elections held in November 1960, both the JSP and the LDP made substantial gains. (The real loser of 1960 was the DSP, which was punished by voters for its feckless attempt to occupy a middle ground between the protesters and the government.) In fact, the JSP continued to hold around 30 percent of the lower house throughout the 1960s. Yet mirroring the fate of the institutional left around the world, something finally broke at the end of the decade: In 1969, in a single election, the JSP lost over a third of its seats, and it never recovered.

If Kapur glosses over too many details of the left’s decline, he is still right that the outcome of the Anpo protests changed the face of Japanese politics. After 1960, the LDP’s Faustian bargain with the American military became the status quo. By no means did dissent end: The years after the Anpo protests saw a series of campaigns against nuclear weapons, the Vietnam War, and pollution that proved that certain causes were still able to put bodies into the streets. But these protests increasingly took place on the margins of Japanese public life, as vivid expressions of a fragmented minority. Never again would the opposition “possess the shared vision, unity, or organizational strength to mount the kind of truly massive nationwide protest movement seen in the summer of 1960,” Kapur writes. By the 1980s, protest itself had become a rarity. Looking back over the previous decades, the left intellectual Rokuro Hidaka lamented the replacement of politics by an “economics” that could contemplate only creature comforts and standards of living.

The events of the last decade provide a still-unfinished afterword of sorts to Japan at the Crossroads. Beginning with the Obama administration’s “pivot to Asia,” a consensus has emerged in US foreign policy circles that China represents the gravest threat to American interests in this century. Our growing anxieties about East Asia have coincided with the return of the brazenly nationalist LDP leader Shinzo Abe, who won a second term as prime minister in 2012 and has led his party as far right as it has been since Kishi held the reins in the late 1950s. Abe’s primary goal is remilitarization, to be achieved through revising the constitutional constraints on Japan’s military spending and use of force. The result is that, once again, the military aspect of the Anpo treaty has emerged as the focal point of US-Japanese relations.

The parallels between the present moment and the years surrounding the Anpo protests are impossible to miss. There is the fact that Abe is Kishi’s grandson and claims he experienced his political awakening while listening to his grandfather discuss the demonstrations. Like Kishi, Abe has found that he can leverage US military strategy for his own agenda. In 2013, Abe, at the request of the Obama administration, forced through a draconian state secrets law. A year later, Abe’s administration unilaterally reinterpreted the Constitution to allow Japanese forces to come to the aid of the country’s allies, even if they were attacked outside Japanese territory.

If Abe can seem to be reprises Kishi’s act, the public’s response lends itself to historical analogy as well. What began with weekly vigils outside Abe’s residence in 2014 evolved, by the following year, into massive demonstrations in front of the Diet against his plans to amend the Constitution. At their height, the crowds exceeded 100,000—the most that a political movement has drawn in Japan for half a century. Even Japanese students were inspired to join in after decades of conspicuous absence from national politics.

But reading Japan at the Crossroads, one can’t help feeling struck by the sense that the recent revival of activism in Japan has yet to be accompanied by a commensurate return of political alternatives. Whereas the Anpo demonstrations of 1960 stemmed from the conviction that Japan should not bind itself to US foreign policy, the recent protests focused on “protecting” the Constitution, a formulation that recalls the anemic liberalism of pre-1945 Japan more than it does the ferment of the first postwar decades. And whereas the anti-Anpo coalition of the 1950s rallied around an expansive vision of Japanese democracy, the main demand of the recent protests was that Abe apologize and step down for violating the unspoken norms of the democratic process.

There is no going back to the left-wing politics of the mid-20th century, nor would such a return be desirable even if it were possible. Japan today faces a novel set of problems—from nuclear power to an aging population, from deindustrialization to yet another and the rest of the world in a different and better way. Simply eliminating the Anpo treaty would not accomplish this, but on both sides of the Pacific, it should be asked what the alternatives to it are. The answers will be as fraught today as they were in 1960, but as we face a new century in which Japan and the United States seem poised to rearrange their bilateral commitments, it is a question worth asking again and again.
There's a story I read on the Internet as a child about a girl named Shannon who chats with a stranger online. The stranger, who is posing as a 14-year-old, uses the small details he draws out in their conversations to track Shannon to a softball game. When she returns home, he is sitting on the sofa with her parents, who are very worried. “There are people online who pretend to be kids; I was one of them,” the stranger explains. “But while others do it to find kids and hurt them, I belong to a group of parents who do it to protect kids from predators.” The stranger reveals that his friend’s daughter was murdered by an online stalker, so now he devotes his life to teaching teens how to avoid the same fate.

As it turned out, this maudlin story was fake, concocted by a pair of self-described “mature dedicated Christians” and published on a homemade AOL web page in 1998 as a cautionary tale for millennial teens. The text was widely shared and, by the time it reached me, had lost the disclaimer that the account was fiction rather than fact. I’d heard similar stories of children and teenagers (usually female) being stalked because they’d talked to strangers online. I doubt I believed them, but the motif was everywhere during an earlier era of Internet culture—until it disappeared, around the time that Facebook opened its membership to anyone 13 or older with an e-mail address.

Unlike its main competitors, Facebook required the user’s real name, and soon the image of online forums as a morass of deception at the hands of sick-minded individuals gave way to more diffuse forms of surveillance via social media, browser tracking, and Internet trolls.
Netflix’s You brings back the specters of stalking and obsession from an earlier era of online culture. Based on the novel of the same name by Caroline Kepnes, You is a noirish soap opera that follows a psychologically distorted young man named Joe Goldberg (Penn Badgley) as he uses the Internet to stalk a beautiful, lonely writer named Guinevere Beck (Elizabeth Lail) after they meet at the New York bookstore where he works.

Joe’s pursuit of Beck—she goes by her last name—leads to a relationship, a breakup, a reconciliation, and several murders. In the show’s second season, Joe flees to Los Angeles, where he meets Love Quinn (Victoria Pedretti), who works as a kitchen manager in a popular high-end organic food market called Anavrin (modeled after LA’s trendy Erehwon, a favorite of Kanye West’s). The second season follows the same formula of lies, intrigue, and murder, until a late twist leaves Joe trapped and outplayed.

Even though You uses millennial tropes, it expresses a much older desire to be seen with greater clarity and intensity than is possible in real life, a desire facilitated by the ease with which Internet users can elide certain physical realities. Joe represents its most extreme manifestation and gives us a sense of its dangers, but the horror of You lies in the small miseries of its sane characters.

Badgley, known for playing private school outsider Dan Humphrey on the late ’00s teen soap opera Gossip Girl, has said in interviews that You functions as a “social commentary” on romantic tropes and on “how much we are willing to be patient and forgive someone who inhabits a body that looks something like mine: the color of my skin, my gender, these sorts of privileges.” When prompted to talk about Joe in an ASMR video produced by W magazine, Badgley swivels between two sleek foam-covered mics. “Why are we so attracted to murderous people?” he whispers, charmingly exasperated by his success playing a hot serial killer. “Why are we so willing to forgive them, no matter who they murder, no matter how violent they are towards women? How is it that we’re willing to forgive this guy?”

This question—why do viewers become emotionally invested in a murderous creep?—can lead to a straightforward answer: because Joe has been chosen as the protagonist of the show. Until the end of the second season, there is no way to disprove this theory. There is no nonwhite, nonmale serial killer in the show to demonstrate to us whether our tolerance for Joe has more to do with narrative structure or social conditioning. But Badgley’s question about why audiences forgive Joe leads us to something more particular and uncomfortable about You: Why do Joe’s partners forgive him? Why do Beck and Love, two people with an intimate knowledge of Joe’s flaws—including, in time, his murders—choose, in different ways, to overlook them?

Amid credibility-straining details that place You on the edge of camp—a predatory literary agent zooms around Manhattan at midday in an empty stretch limousine; the Quinn family, owners of one successful grocery store, exercise a Mafia-like control over the Los Angeles Police Department; in a bafflingly specific error, Beck’s wealthy friend Peach Salinger (Shay Mitchell) claims that Alexander McQueen scarves have not gone on sale since 2010—Beck’s and Love’s willingness to forgive Joe is the exception. It rings disquietingly true. Perhaps this originates with Joe’s self-image as a “true romantic,” disappointed by the vapidity of his peers, searching for a soul mate who will save and be saved by him. “If we’re being honest,” he tells Beck, whom he has locked in a glass cage after she discovers evidence of his murders, “your life has been better since you met me. You just didn’t know how or why.” Later he reflects, “All I ever wanted you met me. You just didn’t know how or why.”

But what does Beck want? In the show’s first episode, as Joe begins to search for information about her on social media, he muses in voiceover, “There you were. Every account set to public. You want to be seen, heard, known,” but he also opines that it’s all an act. “Too busy living out moments you won’t remember five years from now… candidly, it’s the least appealing thing about you, Beck.” She splits from Joe for the first time when she catches him following her, and in the fight that ensues, he admits to reading her texts. But over the next few months, Beck reconsiders her decision. “I didn’t get it, but now I see it,” she tells him. “You are so good for me. You helped me so much…. I wish I hadn’t pushed you away. But I think it came from how scared I was to need you.” All the pieces to understand Joe were already there when they first dated: his paranoia, his obsessiveness, the systematic dismantling of her other major relationships. But these relationships were superficial and unfulfilling. With Joe, at least, there was attentiveness and the appearance of care.

In the show’s second season, when Love learns about Joe’s secret life, there’s a twist: She reveals that she has a violent past as well. “Yeah, you did some terrible things,” she tells him, “but that’s what sensitive people do when they’re trapped in a bad relationship.” Love views Joe as a soul mate, the rare person who will not condemn the kinds of actions seen as deserving of judgment since the dawn of human society. When he learns about Love’s past, Joe’s infatuation evaporates. He wants to be seen but perhaps not in such glaring detail. Over the show’s two seasons, Joe and his partners have revealed themselves as wanting the same things—companionship, care, an acknowledgment of the hardships they’ve faced—and have miscalculated the risks involved.

There is plenty of melodrama in You—maimings; sex crimes; chilling monologues about peanut allergies; a tense, high-stakes game of hide-and-seek in a New England mansion. Most of this is predictable and, although fun, not particularly affecting. The truly disturbing thing about You is the way it riffs on the small, cold, hungry horror of being invisible, a horror magnified in an era when a large portion of the American economy is devoted to producing technologies to more easily express and quantify interest, care, or affinity. As Badgley notes, that old fear of loneliness can mix dangerously with toxic masculinity. But it also produces myriad other kinds of pain, sharp and imperceptible.

Stalkers are frightening because they cross informal boundaries as well as formal, legal ones. There are many normal reasons to walk past a certain apartment building or go to a particular softball game, and it isn’t a crime to refresh someone’s Facebook account multiple times a day. Up to a certain point, such single-mindedness can read as romantic. The normalcy of the activities of a stalker should make the transgression hard to define, but it’s not. We know what it looks like to pay too-close attention or worse.

You is a study of the dangers of when someone pays too-close attention. It offers us insight into the unгovernable mess of everyday life, too, in which forms of visibility and obscurity clash and it’s easy to feel at once overexposed and at risk of disappearing. In this way, maybe unwittingly, You examines the other end of obsession’s spectrum—not just the point at which it turns dangerous but also how little attention we need to survive.
Puzzle No. 3526

JOSHUA KOSMAN AND HENRI PICCIOTTO

ACROSS
1 Name one independent state in the Middle East (5)
4 Showed compassion in play about decent orchestra space (4,4)
9 Aviator-poets tilt wildly (4,5)
10 Container vessel carrying organic fiber (5)
11 How to improve your aim: Slander cop and appear in charge (6,8)
13 See 4D
14 Collaborator’s outside of the audio device with a hen (4,6)
17 Percussionist and bandleader connect around best arrangement of tune (4,6)
19 One old lunatic’s object of worship (4)
22 Type of publication in which agent mimicked skill? (5,9)
25 Expected Eliot’s performances by two (5)
26 Throw it in reverse to get old sheet just beneath the cover? (5,4)
28 Right-wingers retreating, but taking apart… (3,5)
29 …dwelling found in eight Across entries? (5)

DOWN
1 Department of Treasury statement: “Leaders connect these to find out what is really going on” (4)
2 Crashed Saab with Tim Rice (7)
3 Attack demon with broken gun (6)
4 and 13A Long live rent rollback in city (3,4)
5 Swimmer is warmer after removing cap (5)
6 Redesign help icon for game (8)
7 Scare Gilliam when accepting condition (7)
8 Life, for instance, overwhelms extremely bitter intellectual (8)
12 One of two comforting words that would timeless turn into its opposite (5)
13 Absurdly, audit pet talent (8)
15 Dull toy company cuts its losses (5)
16 Kitty, making a case for profound returns, moves more quickly (6,2)
18 Capture effortlessness when announcing circus routine (7)
20 French artist in Berlin: “You set upon the winner” (7)
21 First-rate, hallowed, and maximally proficient… (6)
23 …flower expert is discovered (5)
24 Jump from plane, using parachute at the end (4)
27 Judge is oddly tardy (3)

SOLUTION TO PUZZLE NO. 3525

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