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H OPELESSNESS IS THE MOST POWERFUL TOOL IN THE ARSENAL OF A HEARTLESS GUN industry and the National Rifle Association, which implements its deadly agenda. If Americans believe nothing can be done to save lives, then even the most well-intentioned citizens “move on” after each new massacre at a school, supermarket, hospital, or church. The NRA’s political puppets have mastered the art of muttering “thoughts and prayers” and then changing the subject before anyone objects. So, of course Texas Governor Greg Abbott was shocked when former El Paso congressman Beto O’Rourke interrupted a press conference at which the cynical Republican was making excuses for failing to take steps to prevent an 18-year-old gunman from slaughtering 19 children and two teachers at an elementary school in Uvalde. “You are doing nothing,” O’Rourke told Abbott, the man he hopes to replace in November. “You are offering up nothing. You said this was not predictable. This was totally predictable when you choose not to do anything.”

O’Rourke’s intervention was a bracing antidote to a moment of despair. By calling out Abbott, he countered the rhetoric of hopelessness that claims no meaningful action can be taken at a time when ever more horrific death tolls and backstories—like that of the racist teenager who on May 14 murdered 10 Black people at a Buffalo supermarket—are met with pundit-talk about “gridlock” on Capitol Hill and Supreme Court subservience to the gun industry.

That industry feeds on frustration. It relies on a sense of powerlessness to maintain its deadly profiteering. But Americans do not have to accept the lies that justify inaction.

“Let us finally do something,” President Biden urged in a poignant June 2 speech calling for Congress to raise the age for assault-weapon purchases, strengthen background checks, and enact red-flag laws. Connecticut Senator Chris Murphy, the Senate’s most ardent gun-control advocate, asked his colleagues, “Why are you here, if not to solve a problem as existential as this?” A handful of Senate Republicans responded in apparent agreement. Now, the senator representing Sandy Hook says he’s engaged in bipartisan discussions about approving at least some of the measures Biden mentioned, along with increased funding for mental health programs and school safety. Murphy has to be wary of Republican attempts to use negotiations for PR purposes. He also has to build a coalition to overcome procedural barriers, as meaningful action will need to get around the filibuster. That won’t be easy, but Murphy’s right when he says this is no time to “let the perfect be the enemy of the good.”

That does not mean, however, that Biden should stop pushing for the perfect. The president should create a federal Office of Gun Violence Prevention and order the Department of Health and Human Services to step up efforts to address gun violence as a public health matter. He can also issue an executive order that Everytown for Gun Safety vice president Nick Suplina says “would cut illegal guns off at the source by clearly defining who needs to be licensed to sell guns.”

In the states, Democratic governors and legislators can enact assault-weapon bans and gun licensing measures. These are fights worth waging. “We know gun licensing, supported by the majority of Americans, makes a difference,” said Senator Cory Booker (D-N.J.). “Heck, when Connecticut did it, their gun violence rate fell 40 percent.” Where Democrats are in charge, legislatures can pass laws like one in New York that allows victims of gun violence to sue gun dealers. And in Republican “red states,” citizens can advance these measures via ballot initiatives.

Undoubtedly, the right-wing majority on the Supreme Court will continue to upend many gun-control measures. But let’s force the issue, in hopes that some laws will survive the high court’s judicial activism. And let’s elect senators this November who will fill upcoming judicial vacancies with rational appointees, along with governors who will stand up to the gun lobby.

Elections, at the federal and state levels, remain the best tool for tackling gun violence. Overwhelming majorities of Americans favor background checks, assault-weapon bans, and other measures that could have prevented the recent massacres. What’s vital is to make gun violence a front-line election issue—not a passing headline. To get the equation right, we need more candidates like O’Rourke who refuse to let anyone tell them there’s nothing to be done to prevent gunmen from massacring fourth graders.
COMMENT/GREGG GONZALVES

1,019... and Counting

Monkeypox is not a gay disease. But our decades of experience dealing with HIV gives us the chance to get things right this time.

In March 1983, Larry Kramer published a piece in the New York Native titled “1,112 and Counting”—a call to arms about a new virus circulating among gay men in the United States. One thousand one hundred and twelve was the number of cases of this new disease, acquired immunodeficiency syndrome. Larry’s piece is a classic of what would remain his lifelong passion—telling everyone the stakes of a new disease and providing the community with the information to respond.

We already had a Disease Control and Prevention Center, but we also had organizations like the Gay Men’s Health Crisis, the Project SERE, the NAMES Project, and others. They never really got organized, but they had already organized in the ’70s and ’80s. The AIDS Coalition to Unleash Power had put together the idea of a national哈尔斯 for HIV, and they were off the ground.

Larry was a friend, mentor, and tormentor (who once said he’d like to flush my head down a toilet), and I disagreed with him often. But I can’t help recalling his early cries in the wilderness on AIDS as we see a new outbreak of infectious disease show up among gay men. This time we are dealing not with a novel virus but one that has long existed, existing and spreading, with tens of thousands of cases a year, and it’s not just in the United States, or in the developed world, or in the urban centers, but in the developing world, too.

The current monkeypox outbreak includes 1,019 confirmed cases (and counting) at press time in 29 countries, and is occurring outside of those regions where the virus is endemic. The vast majority of these initial cases are among gay men and are tied to a Pride celebration in the Canary Islands, a sauna in Spain, and a festival in Antwerp. In the United States, thus far, there are 31 cases, primarily among gay men in nine states. To state the obvious: Monkeypox is not a gay disease—anyone can get it, as it is simply spread by close physical contact—but it has arrived in the LGBTQ community nonetheless.

Unlike 40 years ago, the CDC and other health organizations are already on the alert and responding to this new outbreak. While there are, of course, things to criticize about the federal response, the first step is to seek out as many cases as possible as quickly as possible and get those infected into care (this time there are treatments!) and vaccinate those potentially exposed (there are vaccines, too!), while ensuring that the larger community at risk knows what is happening.

Here, I have to take a page from the Kramer playbook and ask our nation’s LGBTQ and HIV/AIDS organizations: What are you waiting for? These organizations have been built for this moment. They have 40 years of history in dealing with HIV and other infectious disease outbreaks among gay men—from syphilis and gonorrhea to drug-resistant staph infections to meningitis. They have decades of experience in education and outreach, have shaped policy responses to protect our rights during a pandemic, and have won many victories for us. Yet now they are strangely silent.

June is LGBTQ Pride month in the US; these celebrations are attended by hundreds of thousands. And with summer coming, there will be parties galore. After more than two years of Covid-19 (which is not done with us yet—we are in the midst of a surge right now), many are looking forward to seeing friends, socializing, and, yes, having sex. All of which provide ideal settings for monkeypox to spread.

Unlike Larry Kramer, who was often puritanical about gay men’s sex lives, I am not suggesting everyone stay at home and remain celibate. But our LGBTQ and HIV/AIDS organizations must mount an educational and informational campaign right now—not later this summer—on how the disease is transmitted, its symptoms, how to seek testing and care should they suspect they’ve been exposed to the virus, and how to minimize the risk of exposure to themselves and others: for instance, by avoiding social events if they have a fever or a rash (which should be a signal for them to seek care).

And yes, minimizing close physical contact is one key way to reduce risk. We know from the AIDS epidemic that the gay community can effectively respond to infectious disease threats when it knows the stakes. In fact, HIV incidence rates in major US cities dropped well before HIV prevention programs ramped up in the mid-1980s. We were already organizing, sharing information, and educating one another before the professionals got involved. We can do it again now.

Shutting down Gay Pride events and the summer’s social activities will only drive people underground just when we need to build trust so people will come forward with symptoms or potential exposure. But those who run these events—and others who make millions off the LGBTQ community—need to step up. The advertising muscle of these big corporations can help get the word out about monkeypox; if you can sponsor a float in New York City’s Gay Pride parade, you can afford to give back to the community. Local businesses can also help by sharing information with their customers. We have to be all in to stop this outbreak.

This isn’t 1983, and monkeypox is not AIDS. It is treatable, and unlike HIV infection in the 1980s, monkeypox does not lead to death in most cases. But it does represent a serious crisis for the LGBTQ community. And as we
mobilize against the virus, we also have to realize that, as with HIV, monkeypox affects many people outside of our own circles. As we urge our national leaders to step up their response, that response has to be equitable and global. If monkeypox secures a foothold in the US, those with the least access to resources will suffer most. Globally, we need to invest in the response to the disease in West and Central Africa, where it is endemic. One thousand and nineteen and counting—just in the United States, Europe, South America, and Australia. But there are many, many more cases in endemic countries where treatments and vaccines are unavailable. This time, we have a chance to get things right—for ourselves and others. There is no time to lose.

COMMENT/LESLEY CAGAN

40 Years Later

Recalling the June 12, 1982, nuclear disarmament rally.

Forty years, and the memory is as vivid as ever. It was a beautiful spring day. The United Nations Second Special Session on Disarmament was about to get underway, and we were determined to be heard. The arms race had to stop, we said; nuclear weapons had to be abolished—and instead of endlessly pouring extravagant amounts of money into military budgets, it was time to put our national treasury to use meeting the needs of our communities.

Ronald Reagan was president. His administration was planning to place new short-range nuclear missiles in Europe, just minutes from the Soviet Union. Massive marches opposing these plans had already been held in capital cities throughout the continent. It was time for the US peace movement to step up.

For 18 months, the June 12 Rally Committee (the national coalition leading this effort) worked to put together the strongest possible demonstration of opposition to nuclear weapons. There were serious struggles within the coalition: Should we address militarism—including US intervention—more directly? How do we include more people of color in the leadership of the coalition? Could we build a structure that was not top-down but instead encouraged and nourished new initiatives? These represented real differences within the coalition, and in my opinion, the best decisions were not always made.

The work kept expanding. Throughout the country, local groups—some long-standing and others created for this demonstration—took up the call and became the backbone of the mobilization. Some 600 groups spread the word and organized bus, train, and car caravans to get people to the march. Some 5,000 people donated their energies to help ensure that the experience of the 1 million people who marched—and those who barely moved, because every inch of midtown Manhattan was packed with people—was powerful, and that our message would be heard.

Over the years, I have organized and been at more demonstrations than I can count. Many of these played important roles in the social movements of their time. And yet June 12, 1982, stands out not only for its size but also for the collective energy and strength of the message, for the power we exerted that day—and the impetus it gave to the work for years to come.

To be clear: We did not abolish nuclear weapons, and we did not move the money out of militarism and into our communities. But we helped move the needle on nuclear disarmament by nurturing this movement.

It would be three more years before Reagan and Mikhail Gorbachev met and laid the groundwork for what would become the Intermediate-Range Nuclear Forces Treaty. This was the first time the United States and the Soviet Union agreed to reduce their nuclear stockpiles, abolish a whole category of nuclear weapons, and allow on-site inspections. Many factors led to that agreement, but without a doubt the June 12 mobilization was one of them.

The longer-lasting value came from the organizing over the months leading up to June 12. Not just selling bus tickets: Educational work, local media work, helping people understand the threat and the urgent need for action—all were central to the organizing. People need to believe that what they do makes a difference, that their participation is central to securing change.

Today, there are some 13,000 nuclear weapons in the arsenals of the United States, Russia, China, France, India, Pakistan, the United Kingdom, North Korea, and Israel. The US and Russia have about 90 percent of them. These more modern weapons are exponentially deadlier than the bombs dropped on Hiroshima and Nagasaki 77 years ago.

The dangers of nuclear war remain all too real. Russia’s war against Ukraine has reawakened public awareness of how close we are to a nuclear catastrophe. Just one bomb dropped—whether deliberately or by accident—could lead to indescribable horror.

No one demonstration or series of actions can make the needed changes, but when our communities are in motion together, we can alter the public discourse and change policy. Equally important, we are stronger, more effective, and more anchored in the realities of people’s lives when we articulate and act on the connections between struggles.

Abolishing nuclear weapons will require ending militarism in its many forms: from global wars to militarized policing here at home; from bloated military budgets to a culture of militarism to the easy access to the guns that are killing people every day. All of this must be anchored in the struggles for racial and economic justice and in urgent action to stop the devastation of climate change. The good news is that so many younger organizers are grounded in that comprehensive perspective.

It is a big agenda, but abandoning any of it will weaken our work. Let us use the memory of June 12, 1982, to strengthen the ongoing movement for nu-
clear disarmament and to bring more energy to the other movements of today. As we honor what we’ve achieved, let us look back for insights into how we can more powerfully create the change so desperately needed. N

Leslie Cagan served as the coordinator of the June 12, 1982, mobilization.

COMMENT/VANESSA WILLIAMSON AND DANA R. FISHER

Disruptive Politics

Democrats are “clapping for Tinkerbell” as the GOP normalizes violent, extralegal tactics to roll back rights.

There have been at least 30 mass shootings since 19 children and two teachers were murdered at Robb Elementary School in Uvalde, Tex., on May 24. While Americans contend with their collective grief, national gun-control organizations have called for a wave of lobbying and peaceful protest, embracing the Tinkerbell theory of political action. Confronted by lockstep Republican and anti-majoritarian obstructionism that makes legislative roads a dead end, Democrats keep “clapping for Tinkerbell”—insisting that, like the fairy in Peter Pan, progressive policy can stay alive as long as everyone demonstrates that they still believe.

Whether the issue is gun violence, abortion, or climate change, Democrats and mainstream progressive organizations continue to retreat futile legislative paths, often while admonishing activists for adopting more confrontational approaches. Meanwhile, the Republican Party has embraced and normalized the antagonistic, extralegal, and even violent activism of its base. This asymmetry in political tactics is already having huge consequences for American politics.

The Supreme Court is poised to overturn federal abortion protections, but the pro-choice movement seems unprepared for the moment. Mainstream reproductive rights organizations are following an outdated playbook of one-day rallies and electoral politics that currently can achieve no more than a pro forma vote on doomed federal legislation. These groups have not invested in the kind of disruptive political strategies that are available to those excluded from the formal levers of political power. Even marginally in-your-face strategies have been criticized by pro-choice elites; when abortion rights activists protested peacefully outside the homes of conservative Supreme Court justices, the White House issued a statement condemning “violence, threats, or vandalism.”

In stark contrast, anti-abortion activists have long protested outside the private homes of abortion providers, a practice that receives few “tsks” of disapproval from Republican leaders. There is a fundamental imbalance of popular mobilization on the left and the right.

Republicans have found great success in encouraging the confrontational politics of their base. Early in the Obama administration, conservative media organized and legitimized the Tea Party movement, which disrupted town halls and local government meetings and helped rejuvenate the right at a moment of apparent Democratic ascendancy. Republicans recognize that clamorous popular politics can strengthen their insider political game. The “Stop the Steal” protests fit seamlessly with judicial rollbacks of voting rights, legislative efforts to suppress the vote, and administrative maneuvers to undermine election integrity. Today, there seems no limit to what elite Republicans will condone if it advances their agenda.

Meanwhile, Democrats cling tighter to formal inside-the-Beltway institutional procedures. Take the prolonged swan song of “Build Back Better.” Long after it was patently obvious that major climate legislation was dead in the water, national climate organizations continued to insist that West Virginia Senator Joe Manchin would support a package that went against his self-interest and the interests of his fossil-fuel funders. Just last month, a coalition of climate groups held a “Climate Action Reboot” with the message that climate action was alive and well in Congress. Sure, if you just keep clapping!

By insisting that formal politics can achieve what it manifestly cannot, liberal elites risk delegitimizing the very institutions they are struggling to protect. Informing the public that the solution is lobbying, rallies, and voting, when control of the executive branch and the legislature is not enough to achieve extremely popular policy goals, is a good way to make people see civic participation as a fool’s errand.

If they close the doors on confrontational activism and civil disobedience, mainstream liberal and Democratic organizations cede a whole range of demonstrably effective tactics to their opponents. Progress in America has rarely occurred without disruption. The movements for civil rights, workers’ rights, and women’s rights all required coordinated campaigns that interrupted the regular action of government and business and were often against the law. If Democrats insist that the only legitimate politics is carried out through our impotent political institutions, they risk isolating and undermining the locally embedded groups that are already applying the kind of tactics that overcame our frozen political system and achieved this country’s greatest social changes.

Rather than ineffectual, one-sided efforts at preserving the trappings of normal political times, establishment Democrats should grapple far more sincerely with what to do when formal institutions fail. Part of the necessary preparation involves building much stronger ties of support between grassroots activists and the mainstream institutions that share their goals. These closer ties may be uncomfortable, but progress will never be made or preserved simply by clapping for Tinkerbell.

Vanessa Williamson is a senior fellow at the Brookings Institution. Dana R. Fisher is a professor at the University of Maryland.
Objection!
Elie Mystal

Supreme Homicide

The nation’s highest court rules that “innocence isn’t enough” to spare a person the death penalty.

The basic definition of a homicide is the death of one human because of the actions of another. By that definition, Clarence Thomas attempted homicide via the majority opinion he wrote in the Supreme Court case *Shinn v. Ramirez* on May 23. I do not say that merely because Thomas denied the appeal of two people on death row. Supreme Court justices deny final appeals from people condemned to die all the time, and while those denials have the effect of killing people, I wouldn’t call every denial a homicide. I call Thomas’s opinion a homicide because his reason for denying the appeal was so twisted and evil that his intent to kill was discernible through the legal jargon. He even added a footnote wherein he callously explained that he had the discretion to save these lives, but was choosing not to use it.

People who follow death penalty jurisprudence know that the Supreme Court has been on something of a killing spree over the past few years. The elevation of alleged attempted rapist Brett Kavanaugh to the court in 2018 gave conservatives five solid votes for denying death row appeals, while people like Samuel Alito and Neil Gorsuch are unwilling to let mere constitutional or procedural concerns stand in the way of the state’s ability to kill people.

But the Thomas opinion in *Shinn* is extreme even by the bloody standards set by his fellow conservatives. At issue in the case were the claims of two men on death row in Arizona, David Martinez Ramirez and Barry Lee Jones, that they had ineffective counsel at their trial and also at their post-conviction appeal, both of which were in state courts. Essentially, the men argued—on appeal yet again, this time in federal court—that their first two groups of lawyers were bad and their third group should be able to provide new evidence as part of a competent defense.

Both men have good arguments. Ramirez was convicted of killing his girlfriend and her daughter, but his initial lawyers never brought up intellectual disability as a mitigating factor in his crimes—a factor that might have spared him a death sentence. Jones was convicted of raping and killing his girlfriend’s 4-year-old daughter while she was in his care, but his original lawyers never investigated the time line of events. When his current lawyers finally did investigate, they showed that the injuries that led to the child’s death were not sustained while she was in his custody. Jones is likely innocent of the crime he is set to be executed for.

During oral arguments, the State of Arizona repeatedly claimed that “innocence isn’t enough” to throw out Jones’s conviction and grant him a new trial, and the Supreme Court agreed. In his majority decision, Thomas argued that because Ramirez and Jones did not bring up the issue of ineffective counsel during their initial appeal of their state court convictions, they couldn’t bring it up later, in federal court. He also ruled that federal courts could not reopen evidentiary hearings because of inadequate prior counsel. Of course, the reason the men didn’t bring up their trial lawyers’ ineffectiveness is that their appellate lawyers were also ineffective. But Thomas gives them no way out of that death spiral. According to Thomas, if your trial lawyer is bad and your appellate lawyer is bad, then you can be put to death even if you are innocent. A federal court isn’t even allowed to review new evidence of innocence should it come to light after your first two attorneys failed to uncover it.

While holding the two men in this procedural death loop, Thomas touts his power to let the prosecutors who want to kill them off the hook for their errors. Ramirez’s team argued that the State of Arizona lost the right to object to his new evidence because it didn’t do so when the team first brought it up in federal court. Thomas waves this argument away in a freaking footnote: “Further, because we have discretion to forgive any forfeiture…we choose to forgive the State’s forfeiture before the District Court.” And this is happening in the very same case where he is holding Ramirez’s appellate lawyers’ errors against him, on pain of death. Thomas is flaunting his power to decide who lives and who dies, and has decided that Ramirez and Jones should die.

Thomas seems to think these people deserve it. He invests considerable space in his opinion to lurid descriptions of the crimes the men were convicted of. It is a sick and unnecessary detour into murder porn, in which Thomas shows himself to be less concerned about the laws at issue than about painting these men as monsters, undeserving of the court’s mercy. Again, while Ramirez does not deny that he committed a crime (and instead argues that his capacity to know right from wrong is diminished), Jones disputes—and has evidence disputing—the details recounted by Thomas. Not only is Thomas condemning a potentially innocent man to die; he’s smearing him on his way to the grave.

In dissent, Sonia Sotomayor assails Thomas for all of it. She
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says his opinion is “perverse” and “illogical” and “makes no sense.” She points out that Thomas and the majority are essentially overruling two Supreme Court precedents in their haste to authorize yet more killing by the state. She calls out Thomas’s sick game of rehashing the crimes the men have been convicted of, writing: “The majority sets forth the gruesome nature of the murders with which respondents were charged. Our Constitution insists, however, that no matter how heinous the crime, any conviction must be secured respecting all constitutional protections.” In what’s shaping up to be a career of biting dissents, this is one of Sotomayor’s best.

But there is no stopping this Supreme Court. The conservatives are acting like sharks who have caught the scent of blood in the water: They are now just violently gnashing at any person unfortunate enough to be in range of their murderous mouths.

Four federal judges, on the district court and the court of appeals, ruled that Barry Jones received ineffective counsel that led to a wrongful conviction. Nobody was asking Thomas to save this man; the system had done that already. But Thomas and the conservatives won’t allow the system to work. They're not applying the law; they're killing this man. Deliberately.

Apparently, some women can restart lactation after breastfeeding has ceased, so mothers who breastfed their babies and want to shame formula users to justify their own exhaustion, sore nipples, mastitis, lost work, restricted diets, and forgone medications can also step in. Breastfeeding isn’t just about milk, after all. It’s also about making other women feel like guilty failures. All babies matter!

I had my daughter 35 years ago, back in the days of the Mommy Wars. I can’t believe we are still blaming mothers who don’t breastfeed—or don’t breastfeed exclusively, or for long enough, or with a sufficiently beatific smile plastered permanently on their face. I enjoyed breastfeeding, by the way—many women do—but it was easy for me physically after the first few weeks, and I was working at home. (I drank Guinness, too, which was thought in those benighted times to help with the milk supply, but today is just another item in the ever-increasing list of things breastfeeding mothers must forsake.) If it had been difficult—if I had been going to an office every day and had to pump, if every feed had been a struggle or I had suffered any of the physical, emotional, or daily-life problems that outraged women are revealing just now in our nation’s op-ed pages—I doubt I would have kept up with it. I had plenty of friends who bottle-fed exclusively and doubted the extravagant claims made for breast milk in countries like ours with clean water and sanitation. I was formula-fed myself, like most baby boomers, and we are (mostly) healthy and smart and have accomplished great things in our time, including parenting and grandparenting most Americans now alive.

Why is it that when it comes to women, everything seems to become an iron law? Why can’t we say “Give it a try, you might like it—but if you don’t, move on”? Pressure to breastfeed is related to the idea that women are tied to nature in a way men are not. That concept has done some good but also a lot of harm. Consider the obsession with unmedicated childbirth and vaginal delivery, which leaves many women feeling guilty for years after having a C-section, even when it was necessary and resulted in a safe birth. And the consequences may be even more severe: In the UK, a study into an NHS Trust revealed over 200 hundred cases of baby and maternal deaths and injuries in just one hospital that were due in part to midwives’
In fact, breastfeeding is not so natural—plenty of women don’t produce enough milk; plenty of babies can’t latch on.

In fact, breastfeeding is not so natural—plenty of women don’t produce enough milk; plenty of babies can’t latch on. We’re not living in semi-mythical medieval villages where neighbor women were available for advice and help, work and child care combined easily, and it was accepted as God’s will that a lot of babies would die—including the ones for whom specialized formulas now exist. Bette Midler caught a lot of flak when she tweeted, “TRY BREASTFEEDING! It’s free and available on demand.” But, as the organizational psychologist Allison Gabriel noted in a quote that’s gone viral, “breastfeeding is only free if we do not value women’s time”—about 35 hours a week. We would never expect a father to spend a full work week feeding a baby. And men would never put up with such a demand—only women do that, conditioned from birth to see themselves as worthless bitches if they don’t disregard their own needs.

The formula crisis is indeed about capitalism. The market is controlled by just four companies, with Abbott, which produces most of the formulas for babies with allergies and other medical conditions, taking about a 40 percent share. Production is concentrated in just a few factories, so when a single Abbott plant was closed after the infection of four children, and the deaths of two, were linked to contaminated formula, occasioning a long FDA investigation, shortages were inevitable. (Abbott claims there is insufficient evidence to link these events to its formulas.) This is the modern market economy in action: overconcentration, sluggish oversight, fragile supply chains, and not enough planning for likely disasters. The Biden administration has responded admirably—invoking the Defense Production Act, importing 35 tons of formula from Europe, relaxing rules limiting the brands that can be purchased through the WIC food program. Meanwhile, Republicans in Congress have voted against $28 million in funding for the FDA to deal with the crisis, while Texas Governor Greg Abbott and Fox News falsely accuse the Biden administration of causing the shortage by diverting formula to infants detained at the border. Tell me again how much pro-lifers care about children.

The formula crisis is about capitalism in another way, too. Unlike most other countries, the United States has no universal paid maternity leave. Only about one in four employed women gets it, which is one reason that one in four goes back to work a mere 10 days after childbirth—fine if that’s what she wants, but how many do? We make breastfeeding as difficult as possible, humiliating women who do so in public, expecting them to pump in closets at work, and then we accuse them of selfishness and laziness if they opt for formula—a solution that at least allows fathers and others to share feeding duties.

We talk a good game about how precious babies and children are, but we leave it up to individual mothers to provide for their needs. At the same time, we constantly raise the bar for what that involves—while depriving mothers of what they need to meet those standards. If Roe is overturned, 26 states are poised to ban abortion immediately. How many women will be expected to perform perfect maternity without even having wanted the baby in the first place?
We Owe It to Young People to Listen to Them

VONNE MARTIN

IN THE DAYS FOLLOWING THE TRAGIC, nonsensical, and all-too-familiar massacre of 19 children and two teachers at Robb Elementary School in Uvalde, Tex., we’ve heard the same weak script from politicians: empty “thoughts and prayers” messaging alongside the misguided demand to increase police presence and militarization in schools—while they’ve taken no legislative action to prevent subsequent mass shootings. When Senator Ted Cruz said, “We know from past experience that the most effective tool for keeping kids safe is armed law enforcement on the campus,” he ignored the well-researched reality students experience: Increased policing in schools is a threat to young people, not the solution. Police officers didn’t prevent the shooter from entering Robb Elementary; they refused to enter the school as he attacked.

Elected officials should not use this tragedy to inflict more danger and violence on Black and brown communities. We must support young people by listening to them. Black and brown youth have already shared a vision of safe and supportive schools that would create a liberatory path forward. It’s about time legislators pay attention and end school policing, along with “hardening” measures like metal detectors, restraints, seclusion, surveillance, and the criminalization of young people.

Safety doesn’t exist when young Black and Latinx youth must repeatedly interact with a policing system that treats them as threats rather than as scholars. The policing of students of color and their families connects to a long history of racial capitalism and violence explicitly targeting Black and brown communities. Schools should be places of joy for young people, not institutions perpetuating state violence.

In the “Youth Mandate for Education and Liberation: A Mandate to Guide Us From Crisis to Liberation,” students nationwide demand that schools divest from police and instead invest more in teachers, school counselors, social workers, and culturally responsive education programs—all while pushing for stricter gun laws. Young people and grassroots youth groups within the Center for Popular Democracy network—the nation’s largest multimodal organizing network—created the Youth Mandate, which has been endorsed by more than 100 ally organizations and more than 6,000 individuals. They demand that schools shift from a punitive and policing approach toward restorative practices.

The Counseling Not Criminalization in Schools Act, which Rep-resentatives Ayanna Pressley, Ilhan Omar, and Jamaal Bowman, along with Senators Chris Murphy, Elizabeth Warren, and Tina Smith, introduced in Congress in 2021 also prioritizes students’ needs by ending federal funding for police in schools while helping schools hire more counselors, social workers, and health professionals.

Restorative practices can improve school climates and make students safer. One school in Philadelphia reduced the number of serious and violent incidents by over 52 percent in the first year of implementation of a restorative program. A school in Denver reduced fights by 80 percent within two years of implementation. Another school in Oakland saw a 77 percent reduction in violence in one year while also ending the racial disparity in discipline.

Furthermore, a study of 179 school shootings from 1999 to 2018 showed there was no relationship between the presence of “school resource officers” and the severity of shooting incidents. If anything, their presence often made violence worse. A comprehensive analysis of school shootings from 1980 to 2019 also found that schools with armed guards had greater rates of deaths than those without.

Reports that Immigration and Customs Enforcement officers were present at Robb Elementary multiply the pain of undocumented parents, who, already facing dire circumstances, had to consider the risk of deportation as they waited to learn whether their children had survived—and demonstrate why we must end the school-to-deportation pipeline by ensuring that ICE agents can’t enter or coordinate with schools.

Police and ICE are institutions created to protect the state and white supremacy, not Black and brown people. They don’t belong in schools.

Countless studies and testimonials—along with common sense—show that reactionary and punitive approaches to school violence are ineffective at best. Instead, we need to invest in resources that prevent shootings and all violence in schools. From Columbine and Sandy Hook to Marjory Stoneman Douglas and now Robb Elementary, our youth have lived this tragic cycle for too long. Legislators must follow students’ lead to build communities of safety, free from gun violence and policing.

Vonne Martin is the Center for Popular Democracy’s co-director of education and justice transformation campaigns, which support CPD partners advocating for education justice.
The largest wildfire in New Mexico’s history is still burning after two months, having scorched over 315,000 acres and destroyed more than 350 homes and other structures. Drought conditions have contributed to an early fire season and longer-burning and more destructive wildfires in the West. According to the US Drought Monitor, 90 percent of New Mexico is experiencing extreme drought.

### By the Numbers

- **$2M**
  Damages awarded to Amber Heard in a defamation trial over her 2018 op-ed for The Washington Post

- **$15M**
  Damages awarded to Johnny Depp in the same trial

- **23%**
  Portion of college students who, upon reporting some sort of abuse, were threatened with a defamation suit

- **11B**
  Number of views the hashtag #JusticeForJohnnyDepp received on TikTok as of mid-May

- **41M**
  Number of views the hashtag #JusticeForAmberHeard received

- **20**
  Number of people per minute who are physically abused by a partner in the US

- **1 in 3**
  Number of women who have experienced some kind of intimate partner violence

- **53%**
  Portion of domestic violence cases in the US that go unreported

### A Charitable View of Queen Elizabeth’s Platinum Jubilee

She’s done the speeches and the waves.
As royals go, she’s been a dilly.
For all this time, she’s done her job,
It’s not her fault the job is silly.
The Backlash Against SexEd

The right is inflaming another front in the culture war.

BY JOAN WALSH
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annel Soucy seems like she would be a champion of what’s come to be known as “comprehensive sexuality education” (CSE): the teaching of basic anatomy and reproduction, plus all the complications and joy that go along with sexuality. Soucy is a 40-year-old biracial woman, with one Black and one white parent. She’s an electrician and a storied local barber in Worcester, Mass. She became a mother at 14, lived in and out of shelters—and briefly out of her car—until she got her first apartment at 19. She raised three boys, “mostly” on her own, she said. I felt a connection with Soucy during our hour-long phone conversation, even though I had tracked her down because she’d run for a seat on the Worcester School Committee last fall in a polarizing campaign opposing the city’s new sex-ed curriculum. Soucy had lost, but in some ways she’d won. Along with the conservative Massachusetts Family Institute, which is connected to the Family Policy Alliance and the Family Research Council, Soucy and her supporters mounted a campaign urging Worcester parents to take their children out of the new sex-ed program. “Opt Out of Pornographic Sex Education” signs went up around the city, Massachusetts’s second-largest. More than 13 percent of district families have now opted out of the curriculum—a higher rate than for most cities in that traditionally blue state, Soucy said—and the number is rising. “The number of families who opted out of any local sex-ed curriculum went from eight, before I started my campaign, to 3,400 after,” she added.

Soucy counts the opt-outs as a victory and predicts the number will keep growing. The Massachusetts Family Institute even gave her its Citizenship Award for her “commitment to our Judeo-Christian values.” But Soucy said she’s an “independent,” not right or left, just concerned about her kids—and yours.

Cara Berg Powers, an educator who’s been fighting for comprehensive sex education in Worcester since 2017, is proud of the new K-12 curriculum, but the battle isn’t over yet, she said: “In some ways, what’s gone on in Worcester foreshadowed the national conversation and controversy [over CSE], but now it’s being influenced by that conversation. There’s a feedback loop here.”

As CSE’s opponents get more extreme, we don’t know where the loop will end. Soucy doesn’t want anyone to get hurt, and she’s not sure why the battle has to get so ugly. “I have deep compassion for people struggling, living in pain and hopelessness,” she wrote in a follow-up e-mail. But the battle is getting ugly nonetheless.

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ith the nation focused on Florida’s adoption of a Parental Rights in Education bill, which places restrictions on teaching or even mentioning sexual orientation and gender identity, especially in grades K-3, little attention is being paid to similar bills in the pipeline elsewhere. According to Education Week, at least 30 pieces of legislation around the country “would variously circumscribe LGBTQ representation in the curriculum, the pronouns that students and teachers can use, and put limits on school clubs, among other things.” Most of these bills are making their way through the legislatures in red states like South Carolina, Tennessee, Oklahoma, Kansas, and Indiana. (Alabama already has a law comparable to Florida’s.) Nebraska scuttled an attempt to develop state sex-ed guidelines in 2021 after a backlash from conservatives and Catholics. “The opposition peddled fear and misinformation,” said Lisa Schulze, the education and training director for the Women’s Fund of Omaha. “It was heartbreaking.” Jim Pillen, the winner of the Republican primary race for governor (who defeated the Donald Trump–endorsed candidate, Charles Herbster, who was accused of groping women), declared last year that “Nebraska should have no state sex education standards—these are decisions that should be made by parents, not bureaucrats.”

Some of this backlash seems homegrown, involving parents like Soucy who are genuinely confused by or concerned about the relatively recent sex-ed guidelines adopted or proposed for their schools. But much of it is fomented and funded by the usual right-wing suspects, including the Heritage Foundation, the Dick and Betsy DeVos Foundation, Focus on the Family, and the Family Research Council, all of which have been leaders in tearing down public education and promoting private schools, as well as conservative policies at the local, state, and federal levels. There are also the newer groups like the Family Policy Alliance (affiliated with the Family Research Council) and Stop CSE (created by the right-wing Family Watch International), which in turn have inspired state and local affiliates to advance an anti-CSE agenda.

“These are old networks and opponents, but I don’t think they are ‘reawakening.’ They never went away,” the longtime LGBTQ activist Evan Wolfson told The Daily Beast in April.

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t its most basic, “comprehensive sex education” refers to a curriculum that goes beyond the teaching of basic anatomy, bodily changes during puberty, and how to prevent pregnancy and STIs that many of us received decades ago in middle
“We’ve made a lot of progress since the ’80s and ’90s. But it’s gotten really scary out there.”

—Nora Gelpert, Advocates for Youth

more comprehensive approaches reduce teen pregnancy, delay the age at which teens commence sexual activity, lessen the spread of sexually transmitted infections, and promote teen health overall. Only 30 states require any form of sex ed, though in states that don’t, some school districts decide to do so anyway. Nevertheless, some school districts don’t teach sex ed at all, and most adopt their own local standards, in consultation with the community. In most schools, whatever sex ed is offered is confined to a few days, or maybe a week, in the school year.

What worries CSE advocates most is that even cities and suburbs in blue states like Massachusetts are seeing a growing opposition to new sex-ed standards. More than 100 protesters stormed an April Family Life Advisory Committee meeting in Maryland’s Frederick County, less than 50 miles from Washington, D.C., to block discussion of implementing the state’s new health education standards there. “Maryland family life and human sexuality instruction shall represent all students regardless of ability, sexual orientation, gender identity, and gender expression,” the state guidelines say. One protester came to the podium early in the meeting to warn committee members ominously: “This is gonna be hard for y’all.”

Indeed it was. The crowd shouted, swore, and interrupted committee members and district speakers for about an hour and a half, until the meeting was shut down. “We have two genders, male and female,” said one angry man at the mic. “But you won’t [teach] kids religion?” Kris Fair, the executive director of the Frederick Center, an LGBTQ advocacy group, brought a group of young people to the meeting but left early. “I felt it was no longer safe to keep the young people in the room. I took them out,” Fair told a local radio station.

In Westfield, N.J., protests erupted after a Republican state legislator cherry-picked potential resources for the local sex-ed curriculum, with her allies insisting the new state and local standards were promoting “sexualizing children” and “transgenderism.” Fox News ran the story repeatedly. The offending statements came from sample lesson plans that are not required under either the state’s or the Westfield district’s standards. Still, the uproar forced Democratic Governor Phil Murphy to tell reporters that he was “willing to entertain” revising the standards. Later Murphy said his focus was on tailoring the curriculum to make sure it’s “age-appropriate.”

In Colorado, which has been a leader in developing comprehensive sex education standards, deeply red Delta County voted to not even bother to incorporate comprehensive sex education locally—the state doesn’t mandate it, but does provide funding to incentivize it—because of protests and counterprotests. “Everyone is being crazy,” Delta County Superintendent Caryn Gibson said about the decision, after a two-year process to craft local standards. The Family Policy Alliance helped organize the counterprotest there, as elsewhere.

But this burgeoning movement took a more menacing turn after Florida Governor Ron DeSantis’s top communications aide suggested that anyone who opposed the state’s new law was a “groomer”—a derogatory term for someone, stereotypically a gay man, who grooms children for sexual abuse. Fox News hosts and right-wing politicians mainstreamed the notion that opponents of the Florida law, or supporters of comprehensive sex ed generally, are “groomers” or even “pro-pedophile.”

The right-wing activist Christopher Rufo, last seen ginning up panic over a nonexistent “critical race theory” curriculum in public schools, has moved on to ginning up panic over a nonexistent sex-abuse crisis he attributes to public school “predators” and the way they teach about gender and sexuality. Why? “The reservoir of sentiment on the sexuality issue is deeper and more explosive than the sentiment on the race issues,” he recently told The New York Times.

Some of that sentiment is fermenting in the same online sewers that produced the QAnon conspiracy theory—that top Democrats are running a child-sex-trafficking ring—and also helped plan the deadly January 6 insurrection. QAnon’s believers were violent then, and it’s frightening to think what they might do now. If you believe that LGBTQ teachers, or even straight sex-ed teachers, are “grooming” children for sexual abuse, then violence can seem justified.

For instance, in Hartford, Conn., a school nurse falsely claimed on social media that an 11-year-old student was being given puberty blockers—hormones that enable young people who identify as transgender to prevent the onset of puberty—without the parents’ knowledge. When the report surfaced on right-wing websites, including Patriots.win, a platform that facilitated the planning of the January 6 violence, school district officials received death threats. “The superintendent is supporting leftist grooming in her schools. She needs to be executed by our judicial system,” a poster known as ProudAmericanKorean wrote, and then attempted to dox her—but the home address was out of date. Other posters suggested that educators be fed into “woodchippers”; a few posted pictures of nooses and rope.

Advance Democracy, a liberal research group, first revealed the threats to Hartford’s superintendent and other violent anti-educator rhetoric on right-wing websites. The group is best known for its work tracing the pre-January 6 threats of...
violence on the Internet, especially on TheDonald.win (which morphed into Patriots.win). Advance Democracy’s founder, Daniel J. Jones, heard stories of threats against educators and school board members over teaching sex ed and saw them as yet another threat to democracy. “These poor people are purely public servants,” he told me. “This is dangerous.”

“We’ve made a lot of progress since the ’80s and ’90s,” said Nora Gelperin, the educational director of Advocates for Youth. “But it’s gotten really scary out there. These issues of personal safety are new. Educators are getting death threats.”

What’s behind this frenzy? A data point in a Gallup poll released in February jumped out at me: 21 percent of Generation Z, born between 1997 and 2003, report they are lesbian, gay, bisexual, transgender—something besides “heterosexual.” “Change is a-coming,” Gelperin said.

But despite the new generation gap, this is an old fault line in American politics. As People for the American Way noted in the 1996 report “Teaching Fear: The Religious Right’s Campaign Against Sexuality Education,” the right’s sex-ed panic goes back at least to the 1960s, when the Christian Crusade published a pamphlet titled “Is the Little Red School House the Place to Teach Raw Sex?” and the closely associated John Birch Society denounced fledgling efforts to teach even limited forms of sex ed in schools as a “filthy communist plot.” Much of the opposition originated as a reaction to the growing demands for women’s rights, especially the right to decide when or even whether to become a mother. As the anti-feminist titan Phyllis Schlafly put it in 1981, “The major goal of nearly all sex education curricula being taught in the schools is to teach teenagers (and sometimes children) how to enjoy fornication without having a baby and without feeling guilty.”

Despite the activists’ furor, though, the right wing made few gains. In 1983, The Washington Post reported, “The vociferous opposition to sex education spawned by fundamentalist and New Right groups in the 1970s and early 1980s...has been submerged by quiet, grassroots alliances of parents, educators, clergy and lay people who believe courses in human sexuality have a place in the schools.” Later in the decade, the HIV/AIDS crisis seemed to offer an opportunity for the two sides to work together. Ronald Reagan’s surgeon general, C. Everett Koop, even endorsed programs that taught about sex—gay and straight—as well as condoms.

“There is now no doubt that we need sex education in schools and that it [should] include information on heterosexual and homosexual relationships. The need is critical and the price of neglect is high. The lives of our young people depend on our fulfilling our responsibility,” Koop said in 1986. He went on: “The best protection against infection right now—barring abstinence—is use of a condom.”

But instead of cooperation, the AIDS epidemic spawned a bitter schism between “abstinence-only” programs and a broader approach that included teaching about sexuality, condoms, and “safe sex.” Reagan directed millions of dollars into the two main abstinence-only groups, including one founded by Schlafly. Their narrow curriculum was adopted by school districts in Florida, Louisiana, California, Illinois, and others. In one film promoted by the abstinence-only curriculum “Sex Respect,” a student is seen asking a teacher, “What if I want to have sex before I get married?” The teacher replies, “Well, I guess you’ll just have to be prepared to die.”

But in the mid-1990s, groups ranging from the World Health Organization to the American Psychological Association, along with American academics, found that it was the competing, comprehensive curricula that postponed sexual activity for teens and also increased the use of condoms, central to preventing the spread of HIV/AIDS. And the pendulum began to swing back to a more comprehensive approach to sex education under Bill Clinton. (Not that it was a golden age: It was Clinton, remember, who pressured Surgeon General Joycelyn Elders to resign for suggesting that masturbation might slow the spread of AIDS and “perhaps should be taught.”) Pandering to a resurgent Christian right, George W. Bush injected new federal money into teaching abstinence; Barack Obama zeroed it out,
Hanel Soucy is deeply concerned about many of the same issues CSE is trying to address, but her worldview leads her to a fundamentally different approach.

Despite having been a teen mother, Soucy praises the sex ed she received. “When I was in high school in the ’90s, we were taught ‘sexual risk avoidance,’” she said. “Teachers asked me into their classes to share my experience as a teen mom. Which is hard. Now they’re teaching ‘Sex is natural and normal and for pleasure.’ Sure, but tough consequences come with that. And they’re exposing kids to these ideas at a very young age.”

Though she was active in her three boys’ schools, Soucy knew nothing about what the local school committee did. Then she got a flyer one day at her son’s youth group, and it opened her eyes. “It said there was going to be a big discussion on sex ed at the school committee,” she recalled. “They shared excerpts from the curriculum, and I couldn’t believe it. It was very age-inappropriate.” Planned Parenthood, she added, was behind it. (Though a Planned Parenthood-guided curriculum had been proposed years earlier, it was rejected, and the one adopted in 2021 had no connection.) “So I went to the meeting, and I realized it was real.”

When I asked what was “pornographic” about the new curriculum, as the “Opt Out” campaign claims, Soucy pointed me to a cartoon video that’s available as a resource for the fifth-grade curriculum, featuring a boy masturbating to what she said sounds like porn music. (She acknowledged that it’s only a resource available from the sex-ed video provider Amaze.org, not a part of the curriculum.) But Soucy insisted that most Worcester parents prefer a curriculum that emphasizes the teaching of abstinence. She also claimed that the new sex-ed curriculum was “forced” on unwitting parents with little notice.

Soucy and I had a friendly conversation, but at one point she turned the tables on me. “I looked you up. I know who you are,” she said, chuckling—meaning she knew I was likely a supporter of CSE. She asked me some questions, starting with why I thought the comprehensive approach was important.

“I fumbled for words, and started with the notion that it helps LGBTQ youth, and kids with LGBTQ parents, feel affirmed, safe, and accepted in the community. There are high rates of depression, drug abuse, and even suicide among teens in that community, especially for those who are transgender. “But what about the majority?” she countered. I’m not sure how learning about those things hurts straight kids with straight parents, but I admit I didn’t say that.

I asked her whether, as a teen mother, she “It’s always made out to be about a wildly radical agenda. [But] the intention behind these standards is to save lives.” —A teacher in a district trying to implement CSE
could have benefited from a more comprehensive approach to sex ed than “risk avoidance”—one that emphasized the importance of bodily autonomy, reproductive health, and contraception?

“No,” she said flatly. “When you’re having sex at 14, or 12, you’re not thinking about any of that. It’s about escaping dysfunction. It’s not a means of pleasure.”

I noted that research shows comprehensive programs help teens postpone sex and avoid pregnancy better than abstinence-only models. “I’ve looked at those studies,” she said. “They’re sketchy. A lot of the research is run by Planned Parenthood.” Some of it is, but a lot of research today is independent. And all of the respected studies find the same results: Students who get comprehensive sex ed are more likely to report sexual abuse if they experience it; they also become sexually active later, are more likely to use protection when they do, and are more likely to avoid pregnancy and STIs.

I soldiered on. The early-grades curriculum, I told her, is at least partly designed to help children recognize and report sexual abuse. Can she see at least that as important? Again, Soucy said no: “The majority of [abused] kids know what’s happened to them—but if you tell, you get taken out of your family and put in foster care. So a lot of kids know but just don’t tell.” I’m sure that’s true for some abused children, though not all, but her assertion is heartbreaking nonetheless.

Finally, I asked if she shares the increasingly common conservative notion that those advocating comprehensive sex-ed programs are “groomers” or even pedophiles.

“Oh, I think that’s rash—I don’t name-call,” she answered. “I just feel like this is a matter of exploitation.” Sexual exploitation? No, she said, and returned to the idea that Planned Parenthood is behind Worcester’s new curriculum, which she insisted is preying on “vulnerable people, broken people. And it sets [Planned Parenthood] up for a lifetime of clients.”

Ara Berg Powers, like Soucy, is a Worcester parent and an unsuccessful candidate for the school committee, in 2019. The similarities end there.

When the committee approved its CSE curriculum in May of last year, “I jumped for joy,” she told me. Powers, who teaches education at Clark University in Worcester, disputes Soucy’s claim that the new curriculum was “forced” on parents with little notice or transparency. “This had been going on for more than five years,” she said, citing a task force that brought community groups together to plan a curriculum. “There was an incredible level of transparency on this—we didn’t get that transparency for our math curriculum!” she added jokingly, although she wasn’t kidding.

The task force “was an incredibly comprehensive process,” she continued, involving educators, community groups, and parents. It’s true that one of the curricula it considered was designed by Planned Parenthood, but the task force settled on a compromise alternative. Conservatives on the school committee nevertheless shelved it in 2019 after being lobbied by former committee member Mary Mullaney, a Catholic activist. As a compromise, Mayor Joe Petty directed a committee to take another crack at a new curriculum. They began almost immediately, Powers recalled.

There were several meetings about it in 2020 and 2021, she said, “and Shanel attended at least the last two.” They were held on Zoom, during the pandemic; it’s possible the level of participation wasn’t entirely clear, Powers allowed. But turnout was high: At least 30 people spoke at the final meeting, and most favored the new curriculum, she said. It was adopted on May 6 of last year. But the backlash began immediately. And even after Soucy lost her school committee race, it continued unabated.

Powers is proud of her victory—but knows she might have to fight again. The CSE curriculum the board chose—“Rights, Respect, Responsibility,” or the “Three Rs,” produced by Advocates for Youth—is now being taught in Worcester classrooms. But Soucy and her allies are still trying to get parents to opt out. “They were harassing parents about it in the pickup lines after school,” Powers said, until school officials asked them to stop.

Powers’s 8-year-old daughter recently had a three-day unit of the new curriculum, and she wanted more of it. Her daughter, she said, knows trans and nonbinary people, “but her pronouns are she/her/hers. She’s clear about who she is, but she knows gender is not the most important thing about people. And she doesn’t understand: What harm is there in letting all people be themselves? It’s really about control—that parents think they can stop their kids from being trans or being gay.”

One sample lesson plan for first graders in the “Rights, Respect, Responsibility” curriculum, now used in Worcester, Westfield, N.J., and hundreds of other districts, has been singled out by anti-CSE activists and the media. The lesson is not required to be taught in full anywhere; it’s “suggested.” But that hasn’t stopped activists from using it as an example of everything that’s supposedly wrong with CSE.

The lesson plan is called “Pink, Blue and Purple,” and most of it is a straightforward primer on how to avoid sex stereotyping. It starts with a choice of cards to send to new parents: Should they be blue for a boy and pink for a girl? Why? The lesson explains there’s no reason to use gendered colors. It goes on to say there are no specific “girl toys” or “boy toys” and no “girl jobs” or “boy jobs.”

(continued on page 27)
The Problem of the Supreme Court

BY LOUIS MICHAEL SEIDMAN

BY NOW, IT SHOULD BE ABUNDANTLY CLEAR THAT OUR ANTIQUATED Constitution, written over two centuries ago by white men to govern a small, slave-dependent republic huddled along the Eastern Seaboard, does not meet the needs of the sprawling, multiethnic, and complicated country that we have become.

For anyone who doubts this proposition, consider the following facts. In two out of the last six presidential elections, a candidate became president even though he lost the popular vote. Virtually all of the money and attention in presidential elections are devoted to a tiny number of swing states that determine the outcome. The Constitution vests in state legislatures the power to appoint presidential electors whether or not they are chosen by a popular majority—a power that Donald Trump tried to take advantage of in 2020, and may well take advantage of in 2024.

Additionally, nine individuals, appointed for life and responsible to no one, regularly make crucial and unreviewable decisions about matters such as the structure of health care in the United States, the nature of marriage, the right of women to reproductive justice, and the powers of the federal government and the states. All the justices on the Supreme Court insist that they are neutral and apolitical public servants who do no more than follow “the law” as it is written. Yet they are nominated by a process drenched in raw partisanship, and their votes regularly align with the partisan views of the people who appoint them. Republican presidents have appointed 15 of the last 22 justices to the Supreme Court, even though they won the popular vote in only five of the last 15 elections. The last Democrat to serve as chief justice was Fred Vinson, whose brief and largely undistinguished career ended almost 70 years ago.

The Constitution protects the rights of people who want to make movies catering to individuals who get sexual pleasure from witnessing the sadistic crushing of innocent animals. Yet it doesn’t explicitly protect the rights of women, and it does nothing to protect the rights of all of us to live in a world that is not ravaged by global warming.

Huge popular majorities favor measures including more effective gun regulation, limitations on campaign spending, and reductions to the cost of prescription drugs, yet because of the political structures that the framers imposed on us, we are unable to accomplish those objectives.

These facts, and many more like them, should make any sensible person skeptical about our Constitution and about the role it plays in modern political culture. And yet constitutional skeptics almost never get a fair hearing. Instead, American politics is saturated by reverence for an ancient and anachronistic document, written by people who in many cases owned other human beings, and never endorsed by a majority of the inhabitants of our country.

Liberals and conservatives, Democrats and Republicans, Congress members and Supreme Court justices, all insist on their own partisan versions of constitutional obedience while our political culture collapses, crucial public needs go unmet, and the ties that bind us together as a country fray. We need to understand that conventional constitutionalism is irrational and wrong. It attaches religious significance to a decidedly secular and deeply flawed document. It is standing in the way of saving our country. It has got to stop.
Perhaps the most inviting target for constitutional skepticism is the United States Supreme Court. There is no necessary association between the Supreme Court and American constitutionalism. All federal officeholders take an oath to support and defend the Constitution, and one could imagine a system in which the Constitution was enforced by Congress, the president, and state officials. Still, in American constitutional culture, the Supreme Court has assumed such a central role that it is often taken to be the embodiment of constitutionalism.

The justices themselves do everything they can to promote this image. They protect their reputation by working in secret. According to hallowed tradition, no one other than the justices attends the sessions where cases are actually decided. The justices rarely hold press conferences or make public statements. Moreover, the quasi-religious claptrap that surrounds the court—the robes the justices wear, the marble temple in which they are housed, the solemnity and formality of the oral arguments that they conduct—is meant to symbolize the grandeur, neutrality, impersonality, and majesty of the law, and of the Constitution whence it derives.

An interlocking web of myths buttresses this imagery. The justices are thought to be brilliant jurists who work extraordinarily hard. They are wise women and men who take the long view and are above the petty squabbling that engulfs the rest of the government. They are apolitical public servants who lead monastic existences devoted solely to the rule of law. Their independence guarantees that they are answerable to no political party or faction, but solely to their conscience and to the US Constitution.

All of this is arrant nonsense. Historically, the Supreme Court of the United States has been populated mostly by people of decidedly ordinary intellect and ability who have gotten pretty cushy jobs through their political connections. The notion that independence—insulation from political accountability—guarantees that justices will be motivated by devotion to the law rests on a logical fallacy and has little empirical support. In fact, unaccountability produces just what one would expect: a freedom to indulge personal quirks and obsessions.

Here are just a few examples of the judicial failings that should give any thoughtful court observer pause:

§ In the early 19th century, John Marshall saw no problem with serving as secretary of state and chief justice of the United States at the same time. In perhaps the most famous case in American legal history, Marbury v. Madison, Marshall as chief justice ruled on the legal implications of actions taken by Marshall as secretary of state.

§ Also during the 19th century, Justice Henry Baldwin was hospitalized for “incurable lunacy” and missed an entire term of the court. He nonetheless returned to the bench and remained on the court for years. Richard Peters Jr., the Supreme Court’s reporter of decisions, stated that “most courtroom observers of Baldwin agreed that ‘his mind is out of order.’”

§ Justice Robert Grier, who had suffered a disabling stroke, cast the deciding vote in one of the most crucial decisions in American history, holding that Congress lacked the power to make paper money legal tender. Unfortunately, it appears that he acted without having any clear idea of what case he was voting on.

§ Justice James McReynolds was a notorious racist and anti-Semite. He was unremittingly hostile to his colleague Louis Brandeis because Brandeis was a Jew. When Charles Hamilton Houston, the renowned African American civil rights attorney, argued before the court in 1938, McReynolds turned his back on him. He also referred to Howard University as the “[n——] university.”

§ Justice Charles Whittaker was often unable to decide how to vote or to keep up with his work. Once, when assigned to write a majority opinion, he ended up turning the task over to Justice William O. Douglas, who, out of

The Supreme Court of the United States has been populated mostly by people of decidedly ordinary intellect and ability.
§ Shortly after he was confirmed as a justice, Hugo Black faced a huge scandal about his membership in the Ku Klux Klan. Reporters for the Pittsburgh Post-Gazette discovered that although he had officially resigned from the Klan at the beginning of his campaign for the US Senate, Black rejoined the organization and was given a lifetime membership.

§ After becoming an associate justice, Abe Fortas regularly provided advice to his former client, President Lyndon Johnson, even though the Johnson administration was often a party before the court. Fortas was forced to resign when it became known that he had accepted payments from various interests with potential business before the court.

§ While serving as a law clerk for Justice Robert Jackson, William Rehnquist prepared a memorandum arguing that the court should reaffirm the “separate but equal” doctrine announced in Plessy v. Ferguson. When confronted with the memo at his confirmation hearing, Rehnquist swore under oath that, contrary to what the memo in fact said and despite persuasive evidence from contemporaries, it did not reflect his personal views.

§ During oral argument in an employment discrimination case, Chief Justice Warren Burger announced that women were better at secretarial work than men were. He reportedly told his law clerks that Blacks made talented gardeners because they had a great sense of color, but that they could not get mortgages the way Jews did because Jews were generally more able and trustworthy. Women should not be allowed to serve as judges in rape trials, he added, because they were too emotional and incapable of fair judgment.

There are enough examples of this sort of behavior to be troubling. (And this is without touching on the misconduct of modern justices—for example, Brett Kavanaugh’s bizarre and likely perjurious testimony before the Senate Judiciary Committee, or Clarence Thomas’s blatantly partisan extrajudicial diatribes.) Moreover, the secrecy that surrounds the court means that we have no way to know how many other instances of incompetence, misconduct, or florid eccentricity have influenced the court’s work. Still, I do not mean to claim that these examples are representative. No doubt most justices have done their best at what is a difficult job.

In some ways, the more serious problem is not fla-
grant incompetence or mendacity but plain-vanilla mediocrity. For every Louis Brandeis, there are many Sherman Mintons. For every William Brennan, there are many Gabriel Duvalls. The truth is that most of the justices have gained their seats because of inside connections, political deals, or ideological commitments. Their performance on the bench is consistent with what one would expect from individuals selected on this basis.

If one looks at paper credentials, the modern court scores higher than the historical average. All of today’s justices have distinguished academic records, and there is no reason to doubt their intelligence. That said, their range of experience is limited. None of the justices has had to meet a payroll for a private business or make decisions outside of a huge bureaucracy. None has run for or served in elective office. Although the Supreme Court hears many criminal cases every year, no sitting justice has ever served as a criminal defense attorney, although this will change when Ketanji Brown Jackson joins. The court regularly decides technical and complex cases about specialized matters like patent law and employee benefits law, but no sitting justice has devoted significant time to studying these matters. The court’s opinions routinely rely on empirical assumptions, but the justices appear woefully ignorant of statistical method. There is little evidence that many of them know much about the social sciences, much less about philosophy, literature, or the hard sciences.

Perhaps more significantly, no one should confuse the justices with apolitical and neutral students of jurisprudence. Many of them got their jobs because they were connected to politically powerful figures. Consider in this respect Justice Antonin Scalia’s unintentionally damning defense of his failure to recuse himself from a case in which Vice President Dick Cheney was a named party after Scalia had gone duck hunting with him:

Many Justices have reached this Court precisely because they were friends of the incumbent President or other senior officials—and from the earliest days down to modern times Justices have had close personal relationships with the President and other officers of the Executive. John Quincy Adams hosted dinner parties featuring such luminaries as Chief Justice Marshall, Justices Johnson, Story, and Todd.... Justice Harlan and his wife often “stopped in” at the White House to see the Hayes family and pass a Sunday evening in a small group, visiting and singing hymns. Justice Stone tossed around a medicine ball with members of the Hoover administration mornings outside the White House. Justice Douglas was a regular at President Franklin Roosevelt’s poker parties; Chief Justice Vinson played poker with President Truman.

Modern justices have also been cozy with political figures, and their prior service has established deep ties of personal and political loyalty. Here are some examples:

§ In his younger years, Chief Justice John Roberts served as associate White House counsel for Ronald Reagan and as the principal deputy in the Solicitor General’s Office for George H.W. Bush.
The justices exercise extraordinary power—and throughout history, they have used this power to render many truly terrible decisions.

§ Justice Samuel Alito worked as assistant solicitor general and at the Office of Legal Counsel under Reagan.
§ Justice Stephen Breyer worked in the Johnson Justice Department and was special counsel to the Senate Judiciary Committee while it was under Democratic control.
§ Justice Elena Kagan befriended Barack Obama while they were both teaching at the University of Chicago Law School. She went on to serve as special counsel to the Senate Judiciary Committee under Joe Biden, as associate White House counsel and deputy assistant to the president for domestic policy under Bill Clinton, and as solicitor general under Obama.
§ Justice Kavanaugh drafted the Starr Report, which claimed that Clinton had committed potentially impeachable offenses; worked for the George W. Bush campaign on the Florida recount in 2000; and served as Bush’s staff secretary in the White House.

There is nothing dishonorable about service in any of these positions. Still, it strains credulity to believe that the justices suddenly shed their political predispositions upon assuming the bench.

NO ONE OF THIS WOULD MATTER MUCH BUT FOR THE FACT that the justices exercise extraordinary power—and throughout the court’s history, they have used this power to render many, many truly terrible decisions. This is not the place for a comprehensive history of the Supreme Court, but some highlights from that history convey a sense of the role that the court has played in our political and legal culture.

In the earliest days of the republic, Federalist judges, including Supreme Court justices, vigorously enforced the Alien and Sedition Acts, which criminalized criticism of the president and resulted in the jailing of opposition leaders throughout the country.

In the run-up to the Civil War, the court consistently sided with slave owners. For example, in Prigg v. Pennsylvania, Justice Joseph Story, writing for the court, held that a Pennsylvania law that prohibited the extradition of African Americans for the purpose of enslaving them was unconstitutional. In the Dred Scott decision, Chief Justice Roger Taney, writing for the court, held that even free African Americans could not be citizens of the United States and that Congress’s efforts to outlaw slavery in the territories were unconstitutional.

After the Civil War, Congress enacted Reconstruction legislation that amounted to a comprehensive program to eradicate the “badges and incidents of slavery” and to protect the newly freed men and women from violence and discrimination. Fearful of judicial interference, the Reconstruction Congress enacted the 14th Amendment to insulate its program from constitutional attack. Unfortunately, the court read the amendment in an indefensibly narrow fashion and proceeded to invalidate much of the Reconstruction program.

When political pressure on the South eased, Southern states enacted a comprehensive system of racial apartheid. In Plessy v. Ferguson, the court, in an infamous opinion by Justice Henry Billings Brown, found that this “separate but equal” regime was constitutionally permissible.

The court did no better at enforcing civil liberties during this period. Throughout the 19th century, it regularly ignored infringements on speech and free exercise rights. In an especially shameful decision, the court gave its approval to a massive eugenics program that resulted in the forced sterilization of thousands of women.

With American entry into World War I, the Wilson administration embarked on a vigorous program to suppress dissent, utilizing the Espionage Act of 1917 and Sedition Act of 1918 to jail many opponents of the war. The court upheld these convictions in every case that came before it, including the conviction of the Socialist Party leader Eugene Debs, who received millions of votes for president while sitting in a jail cell.

In the late 19th and early 20th centuries, populism and progressivism emerged as an important political force, and state governments began to enact various forms of economic regulation. For example, state statutes mandated minimum wages and maximum hours; prohibited “yellow dog contracts,” which prevented workers from forming unions; and provided for the price regulation of public utilities. The Supreme Court’s response to these reforms was uncertain and inconsistent, but, in general, hostile.

In 1905, for instance, the Supreme Court decided Lochner v. New York. According to the court, a state statute protecting employees of bakery shops from having to work more than 10 hours per day and 60 hours per week violated the “freedom of contract” protected by the 14th Amendment’s due process clause. And Lochner was hardly an outlier. In all, between 1905 and 1930, the court invalidated some 200 statutes imposing economic regulation.

Concern about the court’s ideological motivations came to a head during the New Deal period, when the court blocked some important New Deal programs and threatened to invalidate many more. After his overwhelming victory in 1936, President Franklin Roosevelt moved to discipline the court by increasing its size from nine to 15 justices. Congress ultimately rejected the proposal, but the court more or less backed off from confrontation with a popular president. Roosevelt remained in office long enough to appoint eight justices, and these appointments inaugurated a period during which the court abstained from interfering with economic regulation.

At the same time, the Roosevelt Court’s defense of civil liberties was, at best, spotty. The court occasionally defended the rights of unpopular speakers, but in moments when civil liberties were at greatest risk, it refused to intervene. After the Japanese attack on Pearl Harbor, the Roosevelt administration ordered the exclusion
of thousands of Japanese American citizens from their homes. The Supreme Court held that the action was constitutionally permissible, even though the exclusion was based solely on ethnicity and the excluded individuals were given no opportunity to demonstrate their loyalty.

When the McCarthy panic hit the country in the postwar period, the liberal justices again caved to public pressure. They acceded to the criminal convictions and firings of scores of people because of their political affiliations.

**Due to a Series of Historical Accidents, by the late 1950s power on the Court had shifted to justices who viewed themselves as legal reformers. During the brief heyday of the Warren Court, the justices acted vigorously to dismantle racial apartheid in the South, reform the criminal justice system, protect the free speech rights of dissenters, require equality of population in voting districts, and provide some constitutional protection for poverty-stricken Americans. Even after Chief Justice Earl Warren had retired and a conservative president had somewhat changed the complexion of the court, it rendered pathbreaking decisions protecting reproductive autonomy and attacking gender discrimination.**

A half-century later, the Warren Court’s hold on the American imagination remains strong. For many conservatives, the Warren Court remains an exemplar of arrogant and lawless judicial overreach. Its more important impact, though, has been on the attitude of many progressives. Anyone looking at the entire sweep of the Court’s history would understand that the Court has pretty consistently stood with the most shortsighted and venal impulses in American society. Still, the Warren Court interregnum supports the hope that if only the right justices could somehow be appointed, the Supreme Court might yet be an engine driving us toward a more equal, free, and just society. Still, the Warren Court interregnum remains an exemplar of arrogant and lawless judicial overreach.

In evaluating this hope, it is important to emphasize two points about the Warren Court. First, this judicial Camelot did not last very long—effectively only 10 years. Second, for all its ambition, the Warren Court’s actual accomplishments were limited and fragile. Dismantling the Jim Crow system was an important achievement, but as many scholars have pointed out, the court’s orders were widely ignored. Real change did not come until Lyndon Johnson’s huge victory in the 1964 election and the breaking of the Southern stranglehold on Congress.

Many other Warren Court reforms were similarly vexed. The court addressed some of the worst manifestations of police violence and lawlessness, but it also invented the concept of “qualified immunity” for government officials who violated civil rights, thereby shielding them from meaningful legal accountability. It was Chief Justice Warren himself who wrote for the court in *Terry v. Ohio* to endorse the “stop and frisk” tactics that resulted in the systematic harassment of millions of Black men.

**The Supreme Court’s history is important and often misunderstood, but the crucial question to answer is how the court operates now and how it is likely to operate in the immediate future. Unfortunately, whatever our experience during the Warren Court era, the modern Supreme Court has returned to its historical role as the defender of class privilege, racial hierarchy, and misogyny. From the invalidation of campaign finance legislation, to the hobbling of efforts to control climate change, to the recent threat to abortion rights, the justices have allied themselves with the most reactionary forces in American life.**

So what is to be done? In the wake of the Senate’s unprecedented refusal to consider President Obama’s nomination of Merrick Garland to the court and the debacle surrounding the nomination of Brett Kavanaugh, academics and political figures have proposed a variety of reforms. The simplest to implement would be an expansion of the court’s size. The Constitution does not require that there be only nine justices, and the court’s size has varied throughout our history. A variant of this proposal would allow the court’s size to fluctuate so as to allow each administration a set number of appointments.

Other, more complex proposals would change the court’s functioning in dramatic ways. For example, the political analyst Norman Ornstein has proposed 18-year term limits for Supreme Court justices, with a justice then relegated to service on the lower courts so as not to run afoul of the constitutional guarantee of life tenure. Former presidential candidate Pete Buttigieg has borrowed from a far-reaching proposal advanced by law professors Daniel Epps and Ganesh Sitaraman. Under this scheme, there would be 15 justices, with 10 equally divided between the two parties and those 10 choosing the remaining five.

Here are some other proposals that the Supreme Court itself could adopt in the unlikely event that it were so inclined:

§ *Ditch the robes and the “Your Honors.”* Supreme Court justices are not gods or priests; they are ordinary human beings. In a country without an aristocracy, respect should never be based on station. Instead, it must be earned and is always held provisionally. The justices should act, and should be treated, like every other citizen.

§ *Require a seven-justice majority to invalidate a statute.* Nothing in the Constitution mandates majority voting by the justices; indeed, by internal rule, the court has deviated from majority voting in deciding whether to grant review over cases. More than 100 years ago, the famed Harvard Law School professor James Bradley Thayer wrote that a statute
how are the justices supposed to be candid with each other if every word they speak is made public? But, for goodness’ sake, these folks have life tenure. What is this protection for, if not to allow them to say what they think without worrying about retribution? If the justices in fact feel a little pressure to think more carefully about what they say in conference, this would be a good result rather than a bad one.

§

Draft opinions. The court should release draft opinions for public comment before they are finalized. Why not? Administrative agencies have functioned this way for years. Congress does not usually keep important legislation secret until it becomes law, and when it tries to do so, it is subject to harsh criticism. It is terrifying that the court produces major legal documents in final form without giving interested parties the opportunity to point out errors and suggest revisions.

§

Reverse oral arguments. After the draft is made public, the court should conduct reverse oral argument, whereby lawyers for each side can question the justices about the opinion. Why is it only the justices who get to ask the questions? A reverse oral argument, with the advocates posing the hypotheticals and testing limits, might uncover unintended consequences or flabby argumentation. Moreover, forcing the justices to defend their opinions is bound to provide more incentive to think carefully about what they are doing.

Will the Supreme Court adopt these reforms on its own? Don’t bet on it. We face a classic chicken-and-egg problem: The justices have power, and their power rests on mystification. We can hardly expect the beneficiaries of this system to dismantle it voluntarily. It does not follow, though, that debate about these proposals is pointless. The necessary first step toward forcing the court to give up its power is to delegitimize the court in the eyes of the public. And the first step in accomplishing that objective is asking why, exactly, the justices are so terrified of reforms that would end the pervasive mystification that encases the court’s work. Even considering proposals like these punctures the pomp, pretension, and grandiosity that supports the court’s power.

More than that, thinking about these proposals reveals the sheer ridiculousness of the court. Yes, we need to advance reasoned arguments for why this institution is harming the country. But more than just argument is required. The court should be the object of derision, mockery, and contempt. We need to start making fun of the pomposity and pretensions of the justices. If we can bring ourselves to see through its pomposity and pretensions, perhaps the Supreme Court will lose its power over us. Once it does, the American people can begin the serious work of debating what it would take to establish justice—work that cannot and should not be delegated to an arrogant elite in robes.

This article has been adapted from From Parchment to Dust: The Case for Constitutional Skepticism, by Louis Michael Seidman (The New Press). Copyright 2021. Reprinted here with permission.
It continues: “You might feel like you’re a boy even if you have body parts that some people might tell you are ‘girl’ parts. You might feel like you’re a girl even if you have body parts that some people might tell you are ‘boy’ parts. And you might not feel like you’re a boy or a girl, but you’re a little bit of both. No matter how you feel, you’re perfectly normal!”

It’s the quote heard round the world, from the New York Post to the Daily Mail to The Washington Post. The Bulwark’s Cathy Young, one of the news site’s stable of anti-Trump conservatives, featured it in a purportedly balanced piece about the sex-ed wars in April. Young, to her credit, came out against the Florida bill as “bad law.” But she also suggested that advocates of CSE are pushing complex concepts at children who are too young—and she used the body-parts section of “Pink, Blue and Purple” as one example. Young seemed to think a compromise was possible.

I put that proposal to Advocates for Youth’s Nora Gelperin. “We’re not willing to compromise on someone’s identity or their families’ identities,” Gelperin responded. “The more you yield, the more they’ll decimate sex ed.” Plus, she added, “we already have parental opt-out.”

Alison Macklin, the state policy and advocacy director at SIECUS: Sex Ed for Social Change, agrees. “We are policing teachers in ways we never have before. There is no teacher in the world who is espousing that people become gay or trans! I’m always asking people who make these claims, ‘OK, give me an example.’ And they can’t.”

One educator, still reeling from the attacks on the “Three Rs” curriculum, agreed to let me share an e-mail they sent as their school district reviews its curriculum. “It’s always made out to be about a wildly radical agenda,” the teacher wrote. “But if people in my position can try to understand a bit about why parents may be uncomfortable about discussing details about gender at younger ages, then [the other side] should be able to consider that there are so many young people in crisis and education could help with that. The intention behind these standards is to save lives.”

Dr. Kathleen Ethier, who runs adolescent health and sexuality programs at the Centers for Disease Control, said the best CSE programs save straight kids’ lives too. “These policies and practices that are being pushed back on help all students,” Ethier told me. “Studies show the anti-bullying and anti-harassment curriculum helps everyone. Heterosexual kids have lower rates of suicide attempts and lower rates of sexual assault [than students who don’t get such teaching]. All of these things support all young people.”

Meanwhile, in Florida, the new law hasn’t gone into effect yet, but teachers are already feeling the chill.

Michael Woods, a 29-year teaching veteran in Palm Beach, had a colleague preparing a lesson about the US space program. One slide in the curriculum featured the late Sally Ride, the first woman in space, who also happened to be a lesbian. “She just cut ‘lesbian’ out of the slide. She felt she had to,” he said.

Woods emphasized that Florida has no sex-ed requirements. It’s a point that often gets lost in the controversy: With no sex ed required, the state’s prohibition on discussing sexuality and gender in the early grades is basically intended to make sure young children are never taught, or don’t have it acknowledged or respected, that anyone in their lives is LGBTQ. (In later grades, the Florida bill bans teaching on gender and sexuality that is not “age appropriate or developmentally appropriate,” a standard that teachers say is too subjective.) Some anatomy is taught in the fifth grade; a broader “health” curriculum starts in the sixth.

Woods is a science teacher who also teaches kids with disabilities. When I reached him by phone, he’d just come from teaching the five-day sex-ed curriculum for ninth graders. It dealt with Internet safety and cyber-bullying, but only one day was devoted to discussing gender identity and sexual orientation—“mainly defining ‘what is LGBTQ?’ We actually stress abstinence,” Woods said, “but if you’re choosing not to be abstinent, we also cover here’s how you protect yourself.”

Woods is proud to be public about being gay. “I came out very late, because I was afraid of losing my job. I’ve never identified myself as a gay teacher, but now I have to,” he said. His multi-year contract gives him protection others don’t have.

But the “groomer” slur rattles him, Woods continued. “Those using it, he would say: ‘You don’t understand how dangerous that word is. Do you understand the consequences of that word?’ He began to choke up. “I’m a Special Olympics coach. That requires people to have trust in me. I’m a prom sponsor. I chaperone the senior class trip.”

A surprising number of people resisted talking to me for this story. Teachers and school administrators are running scared. Advance Democracy’s Daniel J. Jones thinks the “consequences” of this nasty rhetoric go beyond distrustful parents and even job loss. Having studied the way online threats turned into bloodshed on January 6, he warns, “We should not be surprised if this turns violent.”

Cara Berg Powers said some of her education students are having second thoughts about their chosen profession. “My students are scared they’re going to be called ‘groomers.’ They’re afraid they’ll be in danger. One is a trans woman—she said, ‘Being a teacher is all I ever wanted.’ But now she’s thinking, ‘Maybe I shouldn’t.’”

“People ask me, ‘Are you afraid of losing your job?’” Woods said. “I’ve got 29 years here. This is my way of speaking up for students.

“This topic is not going anywhere,” he adds. “And neither am I.”
Until the invasion is over, the arts in Ukraine remain on a combat footing.

Prima ballerina: Daryna Kirik, the principal dancer in a performance at the Lviv Opera in May. Her mother and grandmother survived the Russian occupation of Bucha.
HERE IN THE CULTURAL CAPITAL OF UKRAINE, THE STATUES HAVE BEEN wrapped in plastic. The windows and facades of the neoclassical buildings that have led many a writer to describe this city as a “jewel box” have also been covered. This may be enough to protect them from the shrapnel from Russian bombs and shells, but it won’t be enough to shield them from a direct hit. Taken as a metaphor, these veiled figures convey a message: Art and culture are under wraps, at least until the invasion of Ukraine is over.

In early May, Lviv’s opera house, a Beaux-Arts wedding-cake building that inhabits both the physical and cultural heart of the town, hosted a ballet, the first public performance there since the war began. The ballet—Giselle, a work of 19th-century French Romanticism—had nothing to do with the war, but the fact of the hostilities was never far off. The mother and grandmother of the principal dancer, Daryna Kirik, had survived the horrors of the Russian occupation in Bucha, where residents were shot on the street and war crimes are alleged to have taken place. An announcement preceded the curtain raising: The performance would be halted in the event of an air raid.

On the opening night at the opera house, there was no alarm, but as Lviv has settled into an uneasy normalcy, punctuated by sirens and the occasional Russian strike, culture has had to adapt, to go underground and huddle in bomb shelters with the city’s residents. That night, ballerinas in white tulle costumes glided onto and off the stage without a hitch, and the director of the opera, Vasyl Vovkun, hailed the event as a triumph of light over darkness.

Despite the occasional performance or recital, however, institutions like the theater, the opera, and the ballet have shifted onto a war footing. Their buildings have been repurposed as supply hubs and homes for internally displaced people. At the opera, volunteers have made hand-sewn protective garments to be sent to the troops, and the company is raising funds for a front-line medical clinic through paid online concerts. Across town at the Philharmonic, medical supplies are stockpiled for transport to the worst-hit areas of the country. Volunteers in a shuttered library piece together camouflage netting out of strips of cloth.

Maybe the function of art was less grandiose, as Protasov, the conductor, suggested: that it merely offers a distraction from the moment.

What does war do to a culture? I was in Ukraine in March, during a fearful period when every empty concert hall portended doom. Kyiv was under attack, and, so the logic ran, it was only a matter of time before Lviv, too, would have to resist the invaders from the East. The Russians generally bombed in the very early hours, and each day, as the sky darkened, rumors and dire warnings would begin to fly. “Trust me, a friend of a friend at the British Ministry of Defense insists the Russians will target foreign cell phones with missiles.” “My father has heard from military sources that tonight they will strike.” And so on.

During wartime, the unusual is transmogrified into normality. Sheltering in a disused casino for six hours as air raid sirens echo in the streets is a regular occurrence. Some days in Lviv, I would become emotional when I heard street musicians. I grew worried that people, surrounded by so much war, would lose sight of their culture and therefore themselves. What does art matter when people are dying, starving, and being raped?

ULIYA KOMSKA, who grew up in Lviv and is now a professor of German studies at Dartmouth, recently wrestled with the same contradictions when thinking about her homeland. In “A Stained Glass in Lviv,” an essay for the Los Angeles Review of Books about the destruction of culture in Ukraine, Komska writes of a nightmare she had, about the destruction of a stained glass window her father made after the fall of the Soviet Union. In the essay, she eloquently explains why worrying about culture is important:

In war, mourning the loss of art, be it actual or anticipated, is not separate from mourning for the senseless disruption and destruction of human life. To live is to build, to repair, to illuminate, to leave traces in the fabric of time and space. Until an empire’s fist hits it all and smashes it to smithereens. In the face of its onslaught, human life is as fragile as the glass that bears humanity’s loving traces.

One day in Lviv, I attended a rehearsal at the Philharmonic. At the time, the Philharmonic wasn’t open to the public. In the hallway, boxes marked “tensoplast” and “dermoplast”—bandages and medicine destined for the front—were piled high, threatening to swamp the bust of the Soviet-era composer Stanyslav Lyudevych.

In a liver-colored recital room, an orchestra made up mainly of female string musicians played a piece by the Polish composer Witold Lutosławski, “Musique Funèbre pour Orchestre à Cordes.” Most of the men in the orchestra had been conscripted into the Ukrainian military, though two double bassists remained. “They are a problem,” Vitaliy Protasov, the conductor of the International Symphony Orchestra, announced to laughter from the musicians. They did not know when they would be called up to fight.
NIKOLAI VON BISMARCK (3)

One night I visited the shuttered opera. A friend of Vovkun’s had come to say goodbye. Goodbyes in Lviv these days often mean that people are leaving the country, heading across the border, joining the great human stream seeking asylum in Europe. Oleh Orishchenko was traveling in the opposite direction; he was going there, back to the war.

Outside, people were quick-trotting to their homes. It would soon be 10 p.m.—curfew—after which soldiers would scour the streets for Russian diversancy: saboteurs, real and imagined. Vovkun greeted Orishchenko in his office with a bear hug, his eyes brimming with tears.

A powerfully built man in his 60s with a silvery beard, Vovkun once served as Ukraine’s minister of culture. He and I had been discussing culture in Ukraine for just over an hour. His office at the opera house connects via a small pas-sageway to a private box overlooking the stage, which at that point was dark. He spoke of his long-ing to have a performance and his worries about the audience’s safety.

Vovkun wanted to convey to me that Ukraine was under siege not simply by Russia’s military but culturally, in line with a tradition that for 300 years has negated Ukraine, its art and its history. That night, we spoke about Tchaikovsky’s Ukrainian roots, Pushkin’s calumnies against Mazeppa, and Peter the Great—don’t even mention him. “He was a chauvinist, and he was the first person against the independence of Ukraine,” Orishchenko said, chiming in. It might seem odd that Ukrainians continue to spend time litigating the legacy of an 18th-century Russian monarch while Grad rockets pulverize their cities. But they do, passionately. For this war is also one about history and culture.

Ukrainians like Vovkun will emphasize the Europeanness of Ukrainian culture. A small European Union flag stands at the edge of his desk, and a certificate from the pope (Vovkun is a Greek Orthodox Catholic by religion) adorns a wall in his office. The Russian position, on the other hand, denies that Ukraine or its culture even exists. A friend in Moscow told me that even people he spoke to there who were against the war didn’t believe Ukraine was a real country.

As with any war, here and there had taken on totemic significance. Here was the relative safety of Lviv; there was the front, the war, the place of death. Culture bridges the gap between the here and the there, making both in some way more manageable. After the performance, I spoke with Mariana Stasinuch, a 29-year-old violinist. “My husband is in the military right now,” she told me. “As long as he’s there, I will be here and do anything I can to support him. There’s no other way I can do it.”

The INSO opera was rehearsing for a solidarity concert that had been organized across the border in Warsaw. Lutosławski’s haunting rhythm swelled in the hall. Afterward, Protasov said to me, “It’s important that we try to find something in our souls—” before trailing off. “Now, with weapons, it’s impossible, and it’s impossible to make plans... It’s difficult to say what will come out of music.” He paused, then alighted on a simpler answer: “It’s a good possibility to not read the news and to think [about] what we have. It’s, it’s like a help.”

Anastasia Pryshlyak, the young manager of the orchestra, told me that art was a way for the musicians to play their part away from the front. “We want to come back to our normal life and play concerts here,” Pryshlyak told me. “For us now, we feel empty inside. But we know that to be able to perform here safely, we need to help there. That is the most important thing.”

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Art inspires us to live: Wrapped statues in Lviv (above), and the director of the opera, Vasyi Vovkun (right), who once served as Ukraine’s minister of culture.
WHAT DID MY TIME AT LVIV’S CULTURAL INSTITUTIONS TEACH ME ABOUT THE NECESSITY OF ART? DURING OTHER WARS—IN YEMEN, IN CONGO, IN THE SAHEL—I HAVE SEEN HOW ART CAN HEAL SHATTERED COMMUNITIES, HOW IT HAS THE POWER TO TRANSPORT PEOPLE WITH NO HOPE INTO A WORLD OF IMAGINATIVE POSSIBILITIES. I SAW IN UKRAINE HOW ART MIGHT PRESERVE HUMAN CONNECTION IN A TIME OF INTENSE ISOLATION; HOW IT CAN BRIDGE THE DIVIDE BETWEEN THE MUNDANE AND THE TERRIFYING IN WAR. OR MAYBE THE FUNCTION OF ART WAS LESS GRANDIOSE, AS PROTASOV, THE CONDUCTOR, SUGGESTED: THAT IT MERELY OFFERS A DISTRACTION FROM THE MOMENT.

CERTAINLY IN UKRAINE IT SEEMS DIFFICULT FOR CULTURE TO FIND ITS OWN SPACE. THE WAR IS ALL-CONSUMING; MANY UKRAINIANS I SPOKE WITH SAID THEY FELT SUFLOCATED, PETRIFIED BY THE SHEER IMPENDING DOOM OF THE INVASION. REMINISCES OF NORMAL LIFE ARE HARD TO COME BY: A PACKAGE FROM ABROAD, A BEER AND A NOTE SMUGGLED ACROSS THE BORDER FROM A FRIEND ON THE OTHER SIDE. PEOPLE YEARN FOR THE RETURN OF ART IN THEIR LIVES: AN INTERNALLY DISPLACED TEACHER MISSES GIVING PIANO RECITALS TO HER FRIENDS; A PHOTOGRAPHER LONGS TO SHOOT SCENES WITHOUT SOLDIERS AND TANK TRAPS.

PERHAPS THE BEST ANSWER TO THIS CONUNDRUM HAS TO DO WITH ART’S ROLE AS A VECTOR FOR COLLECTIVE MEMORY. PETRO ANTYP, AN ARTIST AND SCULPTOR WHO IS ORIGINALLY FROM DONETSK, BELIEVES THAT THIS IS ONE OF ART’S MOST IMPORTANT FUNCTIONS. WITH ABOUT A HALF-DOZEN VOLUNTEERS, HE SAID, HE IS GATHERING “ALL THE POSSIBLE INFORMATION ON ART PIECES THAT HAVE BEEN DAMAGED.” HE IS INFORMING LAWYERS IN PARIS AND THE UNITED STATES, DRAFTING NOTES TO SUBMIT TO UNESCO LIKE A BRIEF ON THE DESTRUCTION OF LIFE FOR THE INTERNATIONAL CRIMINAL COURT. HE HOPES THIS WORK WILL LET THE DESTROYED COLLECTIONS OF TODAY SAY SOMETHING BOTH ABOUT THE PAST AND THE WORLD THAT IS TO COME.

WHEN WE MET IN LVIV, ANTYP’S MOURNING WAS TEMPERED BY HOPE. IN THE MIDST OF THE CURRENT DESTRUCTION, HE HOPES SOMETHING WILL BE RESTORED, A WAY OF LOOKING AT UKRAINE’S ART NOT “THROUGH THE EYES OF MOSCOW” BUT ON ITS OWN TERMS. HE HOPES TO RESTORE THE UKRAINIAN-NESS TO THE MEMORY OF ARTISTS LIKE KAZIMIR MALEVICH, WHO WAS BORN TO A POLISH FAMILY IN KYIV BUT IS OFTEN THOUGHT OF AS RUSSIAN.

WITH WHAT REMAINS FROM THE WAR, HE BELIEVES HE CAN CREATE SOMETHING THAT CAN BE A REPOSITORY FOR THE MEMORY OF THIS TIME. “AFTER THE WAR, I PLAN TO MAKE AN ART PROJECT BY LEAVING DESTROYED BUILDINGS AS THEY ARE, UNDER GLASS,” ANTYP SAIID. THE PROJECT HAS ALLOWED HIM TO THINK OF A WORLD WITHOUT THE INVASION, ONE IN WHICH THE LESSONS OF THE TERROR INFLECTED UPON UKRAINE ARE REMEMBERED. “WE WILL WRITE ON THE GLASS THE QUANTITY OF PEOPLE THAT HAVE DIED AND THE HERITAGE THAT HAS BEEN DAMAGED. PEOPLE WOULD BE ABLE TO REMEMBER WHAT RUSSIAN OCCUPANTS DID TO US.”
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The Zen Playboy
The life and times of Stewart Brand
BY MALCOLM HARRIS

S T E W A R T B R A N D IS NOT A SCIENTIST. He’s not an artist, an engineer, or a programmer. Nor is he much of a writer or editor, though as the creator of the Whole Earth Catalog, that’s what he’s best known for. Brand, 83, is a huckster—one of the great hucksters in a time and place full of them. Over the course of his long life, Brand’s salesmanship has been so outstanding that scholars of the American 20th century have secured his place as a historical figure, picking out the blond son of Stanford from among his peers and seating him with inventors, activists, and politicians at the table of men to be remembered. But remembered for what, exactly?
Whole Earth: The Many Lives of Stewart Brand is the first full biographical consideration of a man who has already provided useful fodder for writers seeking to characterize the various social and intellectual movements that came out of California in the final third of the 20th century. The author, the longtime tech journalist John Markoff, has covered Brand at length before, in What the Dormouse Said: How the Sixties Counterculture Shaped the Personal Computer Industry. But his new book puts Brand, the man—rather than his role as an exemplary connector of others—at the center of its story. An authorized project, Markoff’s biography draws primarily from Brand’s own words in contemporary interviews and in his detailed journals, to which the author had access. If, in the historical light of 2022, it were possible to make Stewart Brand look good, I’m sure Markoff would have managed it, which makes it all the more remarkable that he does not.

Stewart was not particularly technologically inclined, his MIT-trained father and his lifelong partnerships with their chums, Brand remained sexually frustrated into his 20s, sending his sole female friend of note a letter calling her a “bitch” when she declined a romantic relationship. Brand felt at home in Palo Alto, and introduced him to the scene, connecting Stewart with family friends.

Whole Earth
The Many Lives of Stewart Brand
By John Markoff
Penguin Press. 416 pp. $32

Malcolm Harris is the author of Kids These Days and the forthcoming Palo Alto.
Brand spent his early twenties moving in two directions at once. For a class assignment on the “anomie personality,” he checked out the burgeoning Beat scene in San Francisco’s North Beach and was relieved to find the whole thing much straighter than it was depicted in the media. Brand chilled with ex-surrealists and future hippies, house-sitting a luxurious three-bedroom rent-free. But then, with seeming incongruity, he shipped off to Fort Benning in Georgia to start Army Ranger training. ROTC was one of Brand’s favorite parts of Stanford—an uncommon sentiment—and the idea of joining an elite corps appealed to him, so after deciding that three years was too long to become a Marine, he signed up for two years in the Army. He completed his basic officer training but lasted only two weeks in Ranger School.

Markoff’s stenographic style makes for easy reading, but if you ask a proud guy why he dropped out of Ranger School, you’re not likely to get the authoritative answer. Whole Earth, the author notes, is intended not as a scholarly work but as an authorized biography, which leaves it to Brand to make himself look bad, and he does so constantly. “With no war, it wouldn’t do for a book,” he wrote, reevaluating his choice to enlist on egomaniacal grounds. “I am a character in search of an author, situation, plot, and other characters.” Instead of becoming a lowly grunt, he haggled with bureaucrats and used his connections—including his sister’s husband, a fast-rising commandant educated at West Point—to get better assignments, including a sinecure at New Jersey’s Fort Dix, where he spent the weekends as an art scenester in Greenwich Village and got into trouble for falling asleep on duty. Still, Stewart’s dreams of military glory weren’t finally over until he was told that he couldn’t apply to become a Green Beret until he had 18 months of training. Instead, less than a year into his two-year commitment, Brand got permission (“magically,” Markoff writes) to leave early and study art in San Francisco, including the young promoter Bill Graham. As a vehicle for Brand’s experimental art, the festival was a total bust, and Brand was there almost from the start. Like a new boat or car, an LSD trip was available as a luxury purchase, and he paid $500 to the International Foundation for Advanced Study for a supervised set of experimental trips, which sound nightmarish even to a reader who enjoys the drug. Though he’d forever be associated with acid culture, Brand preferred the inhalant that the experimenters gave him as a warm-up, and he huffed his way through the ’60s, eventually developing a tank-a-week nitrous habit.

Brand styled himself a photographer—he’d used a camera to stand out during his short military career—and envisioned a career as a freelance reporter and author who would illustrate his own work. But his pitches to national outlets yielded no assignments, and a series of projects on American Indians went unfinished as Brand jumped from one thing to the next. He made experimental sound works that were devoid of musicality, and not in a good way. “What he had,” Markoff writes, “just as he had had as a child, was an unending stream of notions.” It’s not a flattering thing to say about a man.

Brand did have the luck, however, to be fishing in a well-stocked pond with the luxuries of time and good equipment. The Trips Festival wasn’t Brand’s idea—he got it from the Merry Pranksters, who wanted to do a concert-size Acid Test—but he had $300 for a venue deposit as well as connections to concert professionals in San Francisco, including the young promoter Bill Graham. As a vehicle for Brand’s experimental art, the festival was a total bust, but as a Grateful Dead concert it was a success, and Brand reassured his father not only that he had no interest in becoming a socialist but that there was good money to be made as a beatnik.

Brand’s next big idea combined his receding interest in photography with his increasing interest in “systems thinking,” a shift from his Randianism to the faddish work of architectural theorist Buckminster Fuller. On one 1966 acid trip, Brand was struck by an idea: Why hadn’t NASA released a satellite picture of the entire planet yet? It was a puzzling question, and with its conspiratorial overtones and hippie implications, Brand recognized what we might call a “good meme.” Lacking social media, he shared his meme by hand, crafting buttons that read “Why haven’t we seen a photograph of the whole Earth yet?” and mailing them to important people in science and politics. Then he donned a costume—a new trademark top hat made him nearly six and a half feet tall—strapped on a plywood sandwich board, and distributed the buttons at some of the country’s top colleges: Berkeley, Stanford, Columbia, Harvard, and MIT. Like the acid advocate Timothy Leary, Brand had a top-down approach to social enlightenment, an elitism that, more than any ideology, position, or interest, has guided his whole life.

NASA did release such a photo the next year, and Brand recycled it for another notion, as the name of his catalog. Why a catalog? One strand that runs through Markoff’s book unremarked is the fact that Brand loved shopping. He was the prototypical early adopter, prepared to pay sticker price for the latest gadgets, a habit linked to his father’s love for mail-order catalogs and even further back to a family hardware supply business. He took the same shopping approach to ideas and identities, always on the lookout for something new. Many of his peers were the same way, and for them he dreamed up the Whole Earth Catalog, a thick brochure for the reverse-engineered store of Stewart.

The form was brilliant, in its way: With no critical or creative agenda to speak of, the Whole Earth Catalog could play fast and loose with copyright, raiding the latest books for their coolest pictures and diagrams. In it, the reader found all sorts of stuff, from walkie-talkies to tepees, calculators to kerosene lamps, as well as a whole lot of what we might now call ’60s books.
Brand took the large format from Steve Baer's newsprint instructional zine Dome Cookbook, the typeface from L.L. Bean, and his famous intro (“We are as gods and might as well get good at it”) from a British anthropologist. Reviewers got $10 apiece, and Brand paid for the latest in bespoke publishing technology. His $25,000 investment ($200,000 or so today) did not break his bank. The 64-page Catalog had a cover price of $5, roughly 10 times the price of a paperback. The hardest-working member of Brand's staff was his new wife, Lois, who toiled alongside him all day and then did the cooking, cleaning, and laundry at night while her husband watched TV for inspiration. The relationship did not last long. One wonders when Stewart did all the reading his bibliophile image required.

As for politics, Markoff notes that leftists who met Brand assumed he was working with the CIA, an accusation that could be rated as indirectly to literally true, depending on the circumstances (later in life Brand would work alongside the CIA doing scenario planning). When he did take an unusual shine to someone political, as he did later in life with the environmentalist Wendell Berry and the cartoonist R. Crumb, Brand quickly turned them off. At a time when revolution gripped the country, the Whole Earth Catalog reflected his right-wing thought by omission. After one young staffer suggested ways to make the catalog more political, Stewart vetoed the notion with a surprising set of rules: “No politics, no religion, and no art.” What was left? Computers and shopping. As a futurist, he had that much right.

The Whole Earth Catalog was an underground hit, and with the help of John Brockman—Markoff describes him as the East Coast Jewish equivalent of Brand's West Coast WASP, another individualist huckster hovering around collectivist art scenes—the catalog went mainstream. Though it didn't actually sell many of the featured items, and though Brand (along with almost everyone else) later denounced the whole back-to-the-land hippie commune movement that served as its ostensible customer base, the Whole Earth Catalog made his reputation. It allowed him to put more than $1 million in profits into a short-lived foundation that awarded small, arbitrary grants to the kinds of projects he liked—Brand, still getting family checks, didn't need the money. When Stewart and Lois divorced, she got only $10,000 and the TV. He kept the catalog's National Book Award and the credit, which meant he got the seven-figure advance that Brockman negotiated for a Whole Earth–branded guide to software in the early ’80s, which flopped.

Though, unlike nearly everyone else in his milieu, Brand never programmed a computer, he did find a niche near California's tech ecosystem. As a transitional figure between the ’70s and the ’80s, he is unparalleled; for Brand, the leap from hippie to yuppie was no more than a step. After the catalog's success, he committed himself to realizing a new ideal: the “Zen Playboy.”

In 1986, while he vacationed on a colonial ranch in Kenya and dreamed of a book called Sleeping With Lions, the remainder of the Whole Earth team sent him a letter saying the project was broke and they would have to cut him off. Well into his 40s, Brand could still count on a check from Mom. But how to spend his time? What role could history offer him?

Before he knew it, Brand was on a Shell oil platform, helping the company’s managers find an innovative way to restructure the workforce, despite the labor union’s objections. In the second half of his life, Brand betrayed everything he’d ever embraced in the first half, with the notable exception of capitalism, of which he’s remained in favor. Soon he and several others who worked for Shell began their own consultancy firm. From the mind that created the Whole Earth Catalog came the Global Business Network. Brand charged more than $100,000 a year to show up at the occasional meeting, where he was known for falling asleep. As a consultant, he took to shilling the fashionable theories of the day, from cybernetics to space colonization to Y2K to geo-engineering and resurrecting the woolly mammoth. Brand no longer wears his top hat, but he’s still doing the same thing he’s been doing his whole life: finding rich, powerful men and selling them on his notions. His latest now is a partnership with one of the world’s wealthiest men, Jeff Bezos, to spend tens of millions of dollars building “a 10,000-year clock” into a mountain owned by the Amazon founder. Nice work if you can get it.

At one point in time, it was possible to see Brand as the goofy grandfather of a gentler, more thoughtful capitalism headquartered in the San Francisco Bay Area: decentralized but still ambitious; environmentally conscious and techno-optimist; philosophical and even spiritual rather than materialistic and stultified. If Brand had died before the 2008 crash, before Edward Snowden and Uber and Facebook as a tool of genocide and Jeffrey Epstein and coal-fired Bitcoin-mining plants, he might have secured an uncomplicated legacy. Now we all know better, and Brand’s biographer can’t get around that.

At the age of 83, Brand has survived long enough to see himself as the protagonist in a real book, a significant accomplishment for a man of meager talents and what appears to be an exceptionally bad personality. Brand is lucky the book isn't a better one, for the sympathetic Markoff—a member of the same milieu as his subject, a fellow client of John Brockman who undertook the project at the suggestion of a former Brand deputy, Kevin Kelly—strains to depict him in a favorable light, at significant cost to the work's quality. The reader is left with a picture that’s suspiciously overexposed, a portrait that illuminates flaws in the attempt to cover them up. Sometimes that’s the most flattering thing anyone can do.
Intimacy at a Distance

The history of teletherapy

BY DANIELLE CARR

In 1991, Kenneth Colby, a psychiatrist at UCLA, released a software program that he hoped would relieve the burden on the nation’s overloaded psychiatric system. Overcoming Depression promised to make patients “experts in their own depression” through a program they could run on their new personal computers. It was a promising time for an initiative that aimed to cross-fertilize the desktop computing craze and the early-’90s rise in diagnoses of depression—encompassing 25 percent of the nation’s adults, according to the National Institute of Mental Health (NIMH), a number that Colby considered an underestimate.

But for all its promise, Overcoming Depression landed with a thud, another failed dream of the 1990s. The challenge of moving from a prototype to a functioning software system that could plausibly replace a human clinician proved too daunting for the NIMH, which cut the project’s funding after only a few years. Griping at what he considered the institute’s conservative vision, Colby remarked, “I think the ultimate funding will come from the private sector when it realizes how much money can be made from conversing computers.”

Colby was right. In 2020, mental health start-ups garnered $1.5 billion in investments, with companies like Cerebral leading the pack on a wave of VC cash. Many of these new companies specialize in fast-tracking prescriptions for controlled substances like amphetamines, capitalizing on the Covid-era relaxation of in-person prescribing rules. The gray areas surrounding these apps and how they should be regulated is a predictable result of the way every facet of our lives was clambering shambolically online during lockdown. But data about the extent to which these new forms of digitized psychiatry have changed the field—much less whether or not they work—remains alarmingly scant. Like QR codes, teletherapy and Web psychiatric consultations now seem less like a temporary emergency measure and more like part of an indefinite new normal. Sure, the much-touted increased access to psychiatric care comes laden with questions about treatment standards—but in the tyranny of the permanent ad hoc, who has the energy to ask whether the thing to which there are no alternatives is any good?

Hannah Zeavin’s The Distance Cure takes on the question of telepsychiatry’s therapeutic validity by examining the many ways that psychiatry and psychoanalysis have historically been practiced without an in-person session—from Sigmund Freud’s analyses conducted via written correspondence to call-in radio shows and suicide hotlines. As a history that looks into present trends, the book aims not only to contextualize teletherapy by assembling a larger genealogy of psychotherapy at a distance but to use it as a way into the problem that defined the quarantines: how to transact intimacy at a distance.

Psychotherapy that happens without both parties in the same room is not just a niche within the larger genre of “communication,” Zeavin argues. Instead, distance therapy reveals something that is true of human communication in general: that all intimacy relies on a fantasy of togetherness, even when the parties are physically present with each other. There is, she asserts, no way to be “really” together with someone else that doesn’t rely on a third thing traversing the space between “me” and “you.” This third thing, per Zeavin, is “media,” a vertiginously broad concept encompassing any means of communication, from a chat over lunch to a transatlantic telecom line. Rather than understanding teletherapy as “more distanced” than in-person therapy, then,
Zeavin contends that different types of media facilitate different types of fantasies of togetherness that are, in the end, variations of the same psychic process. Whether we are FaceTiming or writing letters or in the room together, no experience of intimacy is more “real” than any other—they are just mediated differently.

To understand the stakes of what Zeavin is doing here, you have to understand two things about the small but influential academic field of media studies. The first is that media theorists are always talking about “affordances,” by which they mean how any type of media facilitates some aspects of communication but not others. Because it was integrated with e-mail, for example, Gehat made it easy to keep chats running all day at a desk job in a way that AOL Instant Messenger hadn’t, which in turn shaped how people communicated with each other and the sorts of things they said when they did. This insight is what the founder of the field, Marshall McLuhan, meant with his famous line “The medium is the message”: The effects of a message are bound up with its mediation through a channel’s “affordances.”

The second is that, while drawing on this foundational approach, Zeavin is pushing hard against the boomer orthodoxy of an older generation of powerful media scholars, most notably the MIT endowed chair Sherry Turkle, whose influential account of the rise of digital communication has circulated widely outside the academy in crossover hits like *Life on the Screen* and *Reclaiming Conversation*. Although Zeavin names no names, the arguments that Turkle advances in these books are exactly the kinds of critique that Zeavin wants us to question. Turkle holds that the digital age replaced human in-person conversations with talking to and through machines; this change was bad because it damaged something essential about human relations. Zeavin begins by asking whether this is really true. For her, toggling from in-person to digital communication does not trigger a change in intimacy at its most basic structural level. Regardless of the medium, all human communication relies on fantasizing proximity across separation, our relations mediated by “materiality” (another concept that, by the end of the book, seems slightly winded from all the lifting), whether in the form of our bodies or writing or digital instant messages.

For many of us who logged on in our teens, Zeavin’s arguments clock as bracingly reasonable, another warranted riposte by millennials against their elders’ panicked theorizing about those damn kids and their damn phones. If all human proximity is inherently mediated, Zeavin asserts, then we should stop evaluating the validity of any particular intimacy as somehow equivalent to its degree of physical presence. Yet, to the extent that *The Distance Cure* effectively makes the case that “real presence” is the wrong metric for therapeutic legitimacy, it opens up questions about what criteria should take its place. How are we supposed to judge whether any given type of mediated intimacy is the kind we want when it comes to psychiatric care?

In a moment in which disaster capitalism has pounced on a gaping social crisis—reframing it as a “crisis of mental health” ripe for profiteering by VC-backed telepsychiatry and tech start-ups—any serious answer to this question cannot begin with “All things being equal....” Unfortunately, and as usual, all things are not being equal. As you read this, telepsychiatry is staking out an enormous growth market premised on squeezing the gig-working medical provider for all she’s worth. If there is nothing inherently bad about psychiatric care at a distance, then figuring out whether and in what way it could be good requires that we specify the historical and political conditions in which it’s happening: In what context? For whom and by whom? And why?

Danielle Carr is a historian of psychiatry at UCLA.
often pointed out the questionable legitimacy of the Little Hans analysis. A rigorous 1963 paper combs through the correspondence archive, in which Hans’s father transcribed his conversations with his son, to show the parent quite literally feeding the child lines (“And then you wanted Mommy to drop baby sister in the bath to kill her, didn’t you? So you could be alone with Mommy, isn’t that right?”), to which Hans would distractedly agree. This questionable “data” was then presented to a pleased Freud via letter as proof of the Viennese doctor’s theories. Read skeptically, the case makes it hard to avoid inflecting Zeavin’s thesis with further questions: All therapy is mediated, sure, but then doesn’t the Little Hans case imply that some forms of mediation are less effective than others? And if so, how do we decide whether a particular form of mediation is good or bad?

These questions recur through the rest of The Distance Cure, as Zeavin presents studies of various therapies at a distance, many of them empirically rich enough to show the multiple and often conflicting political projects a given type of media has been used to pursue. The medium is not always the message so straightforwardly, it would seem, and Zeavin gives one instance after another of psychotherapeutic media used by groups with varying or even conflicting goals. In the chapter on radio therapy, for instance, she describes the English psychoanalyst Donald Winnicott’s radio hour for mothers who were turned into single parents by World War II, an effort to get psychoanalytic advice to the masses who couldn’t afford expensive shrinks. Winnicott’s fireside-chat style of parenting advice contrasts with both left-wing programs like The Voice of Fighting Algeria (which unified a movement resisting violent French colonial rule) and right-wing programs for the 1980s moral majority, such as Dr. Laura Schlessinger’s call-in show (which preached “family values” as the cure for distraught advice seekers). The strength of the chapter lies in its dazzling discussion of a wide range of radio therapy programs, and it offers a tour de force of a particular kind of scholarly analysis: one that coaxes similarities out of variations in the historical wild in order to illustrate unifying theoretical concepts. Still, it’s not always easy—at least not if we’re going by the book’s descriptions of what was actually said on the shows or their political milieu—to deduce which types of programs the author would endorse, and why.

Similarly, the fascinating chapter on suicide hotlines leaves the reader with no clear or definitive answers about what Zeavin makes of the political capacities of the medium. Here we encounter the gay Anglican priest Bernard Mayes, who created one of the nation’s first suicide hotlines in the United States in 1961 to help curb San Francisco’s staggering suicide rate. At a time when psychiatry still held that homosexuality was a mental disease, the hotline became a de facto ministry to the city’s queer community. (That’s good, presumably.) Yet the hotline’s Protestant roots made it equally viable as a recruiting tool for organizations like the burgeoning megachurch-cum-self-help empires, often by using scads of hastily trained volunteers to man the phone lines and scoop desperate callers into an organization’s waiting arms. (That doesn’t sound so good.) Given the distressed state of the nation’s mental health capacities fol-

Resolution

Sliver of light, sliver of light, sliver of light!—God asked a question and split the room in two. Tomorrow I will wake up when I wake up. I will wear velvet. I will embrace my fruit-full gut as dearly as I would the one I am missing so entirely even it hurts to yawn, to sing, to say aloud anything. Glass glass after glass of water I will drink and grow ever glad, and a light will land on my forehead thin like a memory, confidently silver, I will lift my hand.

CHASE BERGGRUN
following the bureaucratic debacle of deinstitutionalization, these initiatives can be seen as understandable attempts to close the gaps in care. But as Zeavin describes the volunteer-based model of the hotline, with people on the brink of killing themselves calling to make contact with unpaid volunteer counselors, the reader may wonder whether these hotlines really provide a model we’d want to replicate, at least given any other options.

Of course, Zeavin’s extensive writing in public-facing outlets hardly leaves room for suspecting her of secretly sympathizing with Laura Schlessinger or evangelical megachurches—far from it. The point of a historical analysis is not to dole out easy parables, and ambiguity can be productive. (Ask any psychoanalyst.) But if we are going to create a better, more just psychiatric system, we are going to need answers. To mention only one major problem that crops up in almost every case study Zeavin examines, how do we deal with the trade-off between access to psychiatric care and the quality of that care? If you turn the dial toward relaxing the professional accreditation requirements for providers, you get more widely available care, often provided by people who are not part of a racist and classist medical apparatus, and who might even be from the same minority community as the patients. But you also create opportunities for a host of shady grifts, each promising help in the service of making a buck or pushing an organization’s agenda. Turn the dial the other way, toward a tighter regulation of care, and not only does care become harder to find, but the psychiatric profession can start looking like the shadiest grift of all, slinging dubious medications into a social crisis defined by widespread anxiety and despair.

These are hard problems. If the left is going to come up with solutions, we will need historical studies that dig into the weeds of how these concerns played out in the past and that have an opinion on them. These kinds of projects will have to unfold in the space that *The Distance Cure* opens up for analysis—outside of a moral hierarchy of media adjudicated by “real presence”—and with eyes peeled to the rapacious ingenuity of the capitalist medical system to gouge profits out of a political crisis.

While *The Distance Cure*’s ambition is psychotherapy at a distance in the broadest sense, Zeavin’s later chapters look directly at the present, laying out an indispensable genealogy of computerized and Internet-mediated psychotherapy. The story of the original therapeutic chatbots such as ELIZA and SHRINK is well-known to historians of psychiatry, for instance, but Zeavin dexterously foregrounds the telling details to provide a more immediately useful history for the present. In 1966, Joseph Weizenbaum, a programmer at MIT, created a program he called ELIZA, a bot that used natural language processing to converse with human users. While ELIZA was built to mimic a psychotherapist, the resemblance was incidental; far from trying to replicate a human therapist, Weizenbaum...
meant for ELIZA to demonstrate how little responsivity was needed to make humans feel they were having a meaningful interaction with a machine. But the people who were supposed to be testing the program seemed to be having genuinely emotional conversations with ELIZA. The experience radicalized him against the expansion of computers into human affairs, and he would later argue that the idea of a computer replacing a human therapist to provide effective psychotherapy was “perverse.”

Despite Weizenbaum’s warnings, ELIZA spawned imitators like SHRINK, which was explicitly intended to replace the scarce and expensive labor of human clinicians. SHRINK was created in the computer science department of Stanford University by Kenneth Colby (the psychiatrist behind Overcoming Depression), with the idea that the machine would rapidly process patients during hospital intake. But problems snarled the attempt to put SHRINK into use. In contrast to the delighted chatter of ELIZA, SHRINK users often raged against the machine. A representative transcript of one session reads:

person: I don’t understand.
program: Do you want to understand.
person: I hate you, you stupid machine.
program: What don’t you like about me.
person: You have no feelings.
program: How do you mean.
person: I mean you cannot experience what I experience because you are just a machine.
program: Tell me more about such feelings.
person: We are not communicating.
program: I am trying my best to communicate with you.

“Almost everyone who has participated in these dialogues reports that he comes to feel annoyed and frustrated by the program’s responses,” a puzzled Colby wrote.

In accounting for these differences, Zeavin argues that techniques ranging from diaries to mood-tracking apps can be thought of as facilitating “auto-intimacy,” of a process in which patients relate to themselves through a technology without another human in the loop. But not all auto-intimacy is created equal, with some forms more amenable to a bootstrapping and individualized self-help approach than others. Zeavin ties the emergence of therapeutic computer programs intended to “reprogram” patients’ thoughts and behaviors to the rise of cognitive science in the 1970s, which ousted psychoanalytic therapeutic paradigms on the strength of its compati- bility with an emerging—and lucrative—computational regime.

His triumph of computerization forms the backdrop for Zeavin’s last chapter, which describes the rise of Internet-mediated therapies—from university message boards to “cyber clinics”—within the emergence of new types of online intimacy during the 1990s, all facilitated by various kinds of instant messaging. Here Zeavin finds a genre of computer-mediated intimacy that bucked the widespread expectation in the ’60s and ’70s that human therapists would be replaced by computer shrinks. What happened instead mirrored the way that more recent predictions of powerful AI and automation have been proved wrong: Instead of super-AIs, we have underpaid Mechanical Turks, and instead of computer shrinks, the ’90s saw the rise of therapeutic forms that connected people with other people through the Internet. If computers could not replace humans, online therapy could facilitate access to both providers and other patients. Instant messaging and e-mail were not simply a diluted form of speech or writing traditionally conceived, Zeavin contends; they represented their own genre of communication, what she calls online “therapeutic speech,” complete with its own ways of transacting distance and communicating presence.

The first regulatory framework for “cybertherapy” emerged in 1996 in California, then still in the first blush of the Silicon Valley boom. Care through e-mail and often spotty video chatting was envisioned by its clinician proponents as a solution to the failure of the community mental health movement. Asylums had been dismantled in favor of a community-based network model that never got the funding it needed to be more than a short-lived administrative fiasco. Throughout the 1990s and early 2000s, online therapy—often augmented by phone conversations—offered patients flexibility and a respite from the sometimes daunting intimacy of an in-person encounter, but it could be hard to gauge what these new modes meant for the quality of care. Certainly it was better than nothing, but clinicians grappled with the difficulty of inferring basic, medically relevant facts that would have been a seamless part of an office encounter, such as assessing whether the patient was maintaining basic grooming or showing up to sessions drunk. These kinds of trade-offs are still in play for teletherapists today: Seeing the patient’s living environment can be illuminating, but instant-messaging-based therapies can leave out many of the clues that therapists trained for in-person care normally use. In short, the affordances are different.

By not assuming that in-person therapy is automatically the most legitimate or authentic type of intimacy, The Distance Cure asks us to think about therapeutic mediums as offering different types of intimate interaction, not more or less of it. But while Zeavin, in a moving finale, recounts the heroic efforts of many therapists to serve patients during the pandemic, the book leaves room for questions about the quality of the care provided by teletherapy as it is currently structured by the profit motive. The mise for the present scène was set with the 2010 passage of Obamacare, which required most insurers to cover mental health. That same year, Microsoft, Google, and Samsung released smartphones to join the iPhone, which had debuted three years earlier. A deluge of newly insured patients seeking therapy swamped existing clinical capacity, creating the market conditions for venture-capital-backed teletherapy start-ups like Talkspace (founded in 2012) and Betterhelp (2013) to reorganize care models along gig-work lines.

“Help is no longer hard to find…but good help still may be,” Zeavin writes, noting that the study Talkspace constantly invokes to validate its model had only 57 participants and measured outcomes with a dubiously nonspecific ratings scale. And there are other reasons for concern: not just the danger that such start-ups can go belly-up and abruptly terminate patients’...
care, as in the case of the now-defunct company everbliss, or the risk of privacy leaks, such as the Talkspace imbroglio that resulted in dozens of patients’ names being revealed. More fundamentally, it’s a question of the quality of care that results from a gig work model that piles therapists with the highest possible caseload for the lowest possible fee. A March 2022 Businessweek investigation of Cerebral, a tech-darling start-up, found that prescribers, pincered between Yelp-like patient reviews and the company’s management, feel pressure to loosen their qualms around the Rx pad, while patients are forced to bounce between therapists who keep quitting, burned out by the platform’s grind.

As The Distance Cure discusses, distance therapy is often offered as a solution to the problem of accessing care. Yet analyzing these case studies by reaching for what unites them at a general level ("mass intimacy" in the case of radio programs, for instance, or "auto-intimacy" in the case of computer-mediated therapies) may come at the expense of missing the ways in which we can draw distinctions. It also hinders our ability to contemplate whether distance therapy is any more liberating than the in-person version. If anything, The Distance Cure successfully argues that therapy at a distance is not necessarily worse than therapy in person—but also that it is not necessarily better either. The take-home is that if telepsychiatry gets us out of some political problems in mental health care, it lands us squarely in the face of others.

By rejecting a false hierarchy of intimacy, The Distance Cure points away from the dead-end approaches that rank types of intimacy and human communication based on their form instead of their content. In a deftly argued coda, Zeavin asserts that the problems with one or another type of therapy are inherent not to the medium or the physical proximity involved but often to the fact that we place so much more emphasis on the setting in which therapy takes place than on its outcomes. When we attribute our frustration with contemporary life to a medium at a medium alone, we foreclose the potential to find in these media the tools for building intimacy and solidarity. In other words, we mistake the symptom for the disease. If Freud was right about anything, it’s this: That’s no way to find a cure.

Office Space

The surreal workplace satire of Severance

BY VIKRAM MURTHI

In the waning decades of the 20th century, the American labor force experienced myriad, well-documented changes that systematically disempowered workers across all economic sectors. Long-standing unions were either busted or saw their membership radically decline; wages stagnated even as the GDP grew at a steady clip; and politicians waged successful campaigns to cut taxes on capital gains. Income and wealth inequality skyrocketed, and higher profits emboldened employers to exploit workers even further. If workers had become alienated from the products of their labor during the Industrial Revolution, by the dawn of the 21st century they had become psychologically alienated from the labor itself, as its only ostensible purpose is self-perpetuation.

“Living to work” instead of “working to live” became the modus operandi for many, especially after upward mobility had long since ceased to be an achievable goal. Now not only is an American what they do, but their place of work is a “home,” even as it provides them with fewer protections and asks more of their time. “When you’re here, you’re family,” preached the famously cheesy Olive Garden slogan, but it chillingly doubles as the motto for the American workplace.

The premiere of the Apple TV+ series Severance benefits
from good cultural timing, as many people have started to reevaluate their attitudes toward work and the workplace in the wake of Covid-19. There’s now a premium, however small it may be, placed on decoupling job satisfaction from one’s overall well-being. Fittingly, the premise of *Severance* asks: What if you could medically guarantee that you will never take your work home with you? In the series, one of the world’s largest corporations uses a surgical procedure to separate their employees’ work and nonwork memories, essentially splitting them into a work self (an “innie”), who “wakes up” every time they enter the office, and a personal self (an “outie”).

The series’ protagonist, Mark Scout (Adam Scott), works for Lumon Industries in the Macrodata Refinement division, having undergone the severance procedure after his wife died in a car crash. *Severance* opens with Mark trying to ease a newly severed coworker, Helly (Britt Lower), into the workplace after she wakes up on a conference table with no idea who or where she is. She’s set to replace Petey (Yul Vazquez), Mark’s best friend at the company, who was fired under mysterious circumstances; we quickly learn that Petey’s work and personal memories have been “reintegrated” via a controversial backroom procedure. A disheveled Petey eventually gets in touch with outie-Mark to inform him that Lumon, naturally and obviously, is not what it seems.

Created by Dan Erickson, and with Ben Stiller as executive producer, *Severance* uses its high-concept, *Twilight Zone*–like premise to explore dystopian corporate overreach. The series necessarily demands an immersive world rife with mysteries, and thus Erickson and Stiller have molded it to be artificial and stuck out of time, like Hell designed in the image of a Big Tech company. In fact, while *Severance* has been acclaimed for its “puzzle box” plotting—i.e., opening various narrative cans of worms to retain viewership—it is first and foremost a feat of production design. The interior of the Lumon offices eerily, effectively resembles what a prison would look like if an architect had designed it to evoke a mid-20th-century office building.

The warm yet ominous look of Lumon goes a long way toward lending credence to the Macrodata Refinement division’s revolt against its corporate overlords, who include the protagonists’ immediate supervisor, Seth Milchick (Tramell Tillman), and acting boss, Harmony Cobel (Patricia Arquette). Over the course of *Severance*’s debut season, Mark, Helly, and their fellow workers—the profane, smugly content Dylan (Zach Cherry) and the fastidious rule-follower Irving (John Turturro)—wake up to their employer’s nefariousness and reject the severance procedure. After this, they begin to feel the walls of their ostensibly safe workplace closing in on them. Though the series often bites off more than it can chew, *Severance* succeeds when it squarely focuses on Mark and his coworkers’ slow radicalization. Like many labor activists of yore, they’re spurred to take down the system by a piece of literature. Only it’s not *The Communist Manifesto* that wakes them up but, rather, in one of the best jokes of the year, a pretentious self-help book, the kind whose cover would make your eyes glaze over in a bookstore.

Despite Stiller’s involvement, which includes directing two-thirds of the season’s episodes, *Severance* isn’t a comedy, at least not in the traditional setup-and-punchline sense. Minor bouts of surrealism occasionally puncture the series’ sober tone, but it still retains a serious disposition.

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**Gender Essentialist Poem**

Woman licks gold onto paper. Woman can also draw blood, but only if called to

by a ricochet of sunlight (I am a ricochet of sunlight but who cares). Woman tilts

her heart towards the center of the earth. Woman sees herself or doesn’t. Woman learns

to kiss by avoiding (I am floating just beyond) the edge of the cliff. Woman

is where the edge of the cliff (A snowcapped mountain, a guess of a person) meets dead

air (I). Woman is an eagle circling (I fight to be spoken of). Woman is a radio

wave leaking voidlight (I). Woman fights to speak (I hide inside). Woman fights. (I

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JOSHUA JENNIFER ESPINOZA
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still tracking left, eventually catches up with Mark, but the disorienting effect speaks volumes: Even we don’t know in which direction they’re going.

*Severance* literalizes many similar *Dilbert*-esque jokes about office culture. It’s impossible to leave the building before quitting time. The “break room” is a torture site. The work that Mark and his colleagues do is comically meaningless—dragging and dropping random sets of numbers on a computer screen—which is fitting because “Macrodata Refinement” is so vague as to mean nothing. The team ostensibly works for depressingly banal numbers on a computer screen—which is fitting because “Macrodata Refinement” is so vague as to mean nothing. The team ostensibly works for depressingly banal

This caginess can be frustrating, in the sense that it’s a toss-up whether the answers to these questions will ever satisfy. It’s tempting to read this type of opaque plotting as protracted wheel spinning, and in its worst moments and digressions *Severance* does feel like it’s stalling for time. But as is the case with most television shows, there are the expected surreal moments—but it follows through on familiar motions with enough energy to qualify as lively.

The glaring issue with the series is not its lack of answers or specificity but rather the more existential query: why any corporation would offer the severance procedure in the first place. *Severance* more or less asks viewers to take it on faith that Mark’s decision to sever his memories as a byproduct of grief passes muster despite its shaky emotional reasoning. (Would any halfway intelligent person agree to accept the incoherence of self so that they would only experience sorrow half the time?) A similar leap is asked of the viewers when it comes to his co-workers, whose decisions to sever are only hinted at but appear to be similarly trauma-motivated. Even from the perspective of the most hyperbolically evil corporation, the benefits of having complete control over its employees hardly outweigh the enormous liability of dissent catalyzed by anyone asking any questions about the company or pushing back on the merits of severance. Lumon resorts to psychological torture and a covert surveillance operation to keep its workers in line, and yet for that very reason it prompts suicide attempts and outright disorder. From a credibility standpoint, the company’s medical intervention just doesn’t seem like the safest perspective of the most hyperbolically evil corporation, the benefits of having complete control over its employees hardly outweigh the enormous liability of dissent catalyzed by anyone asking any questions about the company or pushing back on the merits of severance. Lumon resorts to psychological torture and a covert surveillance operation to keep its workers in line, and yet for that very reason it prompts suicide attempts and outright disorder. From a credibility standpoint, the company’s medical intervention just doesn’t seem like the safest

Granted, crying foul with regard to plausibility in fiction, especially when it comes to the short-sightedness of corporate entities, might be foolhardy. But if the series wants to tackle the exploitation of labor, even in its own exaggerated way, it usually helps when the authoritarians’ methods of oppression make sense—logically and emotionally. *Severance* can have its characters ask “What are we doing?” and “Why are we here?” all it wants. It would be better for the show to ask itself, “Why do I exist?”
The Experience of Evidence

David A. Bell’s review of Joan Wallach Scott’s On the Judgment of History threatens to reignite an old— and valueless— quarrel between advocates of two progressive paths: welcome reform and radical transformation [“Distant Moments,” May 16/23]. Both writers are accomplished historians who study past moments marked by these kinds of contradictions. But we know that the social democracy that Bell wishes to be better appreciated, having done its work of avoiding bloody revolutions like those at the end of World War I, was repaid with as much welfare as could be pried out of the capitalist framework. It is everywhere in the West now a bureaucratic hulk with limited voter loyalty. Like the French Socialist Party, Western social democracy has moved from elegant head quarters in the power center of the capital to a lower-rent locality outside the city. We see the feebleness of our own Democratic Party struggling— too often half-heartedly and largely unsuccessfully— to keep some pieces of the social politics that had been achieved by the New Deal and the civil rights and women’s rights movements.

In the past, movement forward has been most effective when social reformers and revolutionaries contest. In doing so, they make both spaces and challenges for each other. A bit like the mix in the two wings of the Democratic Party in Congress. Or like how President Emmanuel Macron, a onetime Socialist cabinet member, co-opted Socialist voters and thereby opened the way for a new, more radical united left to form. The moderate progressives are forced to make space for advocates of the New. As the party of the New gains political support from the differentiated and economically weak, it has space to push for more and better. Thus, the kinds of pressures liberated by the theoretical reach of a Joan Scott are absolutely necessary to force social democracy out of its current complacency and voter flight. An either/or model is not helpful to understand the dialectic of these twin forces in lived history.

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The Nuclear Bandwagon

Charles Komanoff proposes to defer the plan to shut down Diablo Canyon in California, the last nuclear plant in the state [“It’s Time to Rethink Carbon Taxes,” May 16/23]. As the world confronts the ravages of climate change, some propose nuclear energy as a path to decarbonization. But that is a false solution. Producing atomic power includes uranium mining, milling, purification, enrichment, and fabrication. These emit six to 24 times more carbon and pollution than wind power, at a much greater cost. Huge amounts of waste remain highly toxic for hundreds of thousands of years. Some is released into the air and water, raising the cancer risk for local residents. And the chance of a catastrophic meltdown is ongoing.

The sun is setting on nuclear power. Japan closed all 54 of its reactors after the Fukushima meltdown in 2011; only 10 have restarted. Germany is closing its last reactors this year— as its share of electricity from wind and solar soars past 40 percent. In the US, Washington and Oregon are also past the 40 percent mark, with several states already closed. Jumping on a nuclear bandwagon is not only unnecessary but hauntingly dangerous. The Diablo Canyon reactors should close as planned, to allow safe renewables to take their place.

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BRICK, N.J.

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Corrections

The letter to the editor from Roy Singham in the March 21/28 issue misidentified his city of residence. It should have been Shanghai, not Beijing.

Due to an editing error, the article “War and Peace in Ukraine,” by Katrina vanden Heuvel [March 21/28], listed Norway as a neutral country. Norway is a member of NATO and therefore not neutral.

In Sherry Boschert’s “Truth, Light, and Title IX” [March 21/28], Carmita Wood, whose story helped inspire the fight against sexual harassment, was identified as a Black woman. This was incorrect; she was a white woman.

“Psychedelics Inc.,” by Zoe Cormier [April 4/11], stated that at one point in the 1950s, the CIA had ordered 100 million doses of LSD, enough for every citizen in the United States. The article should have specified that this was enough for every adult. By 1950, the US population exceeded 151 million.

letters@thenation.com

Please do not send attachments.
After decades of reporting on Black women’s physical and emotional health, Linda Villarosa has come to realize that everything she thought—everything we all thought—about health disparities in the United States was wrong. In her new book, Under the Skin: The Hidden Toll of Racism on American Lives and on the Health of Our Nation, Villarosa dismantles the notion that the health crisis facing Black Americans is an individual problem and exposes the origins of the racism in our health care system, which she’s gained a deeper understanding of through her career and through her own experiences living as a Black person in America. We spoke about the impact of a racist health care system on every body and what, in spite of it all, keeps her going.

—Regina Mahone

RM: How is structural racism taking a toll not just on Black people but also on “the health of our nation”?

LV: It’s about what’s happening in the country compared to other countries. We have among the highest infant mortality rates compared to other wealthy countries. We have among the lowest life expectancy compared to other wealthy countries. And in between, we are the only wealthy country in which the maternal mortality rate is rising. So then it’s like, well, why are we still thinking of this as a Black problem? This is a problem of the whole country.

RM: What is it about being Black in this country that is, as you write, bad for the body and the baby?

LV: Arline Geronimus coined the term “weathering.” Geronimus started looking at the idea that something about the lived experience of being Black in America is bad for the body, and going through labor and delivery for a birthing person is a complete stress test. If you are already suffering from toxic stress, then it’s not a shock that both can be dangerous for mothers and their babies. Every time something happens to you and you’re the subject of discrimination, the systems of your body rev up, whether it’s your heart rate, your blood pressure, the stress hormones, or even if it’s everyday stress—someone thinks you’re stupid compared to other people, they follow you in a store, or you walk into the eleva-
tor and people recoil. All that stuff makes you upset enough that, if it happens over and over again, it creates a kind of accelerated aging. What really struck me was when the Covid numbers came out and we learned that Black people got worse cases of Covid 10 years younger than white people. Because our bodies were already damaged by living in America.

RM: You went to West Virginia to investigate the health crisis there. Why was it important for you to connect what’s happening there with the weathering of Black people?

LV: Geronimus did a study of Postville, Iowa, where there was this huge ICE raid in 2008. She looked at the birth weights in the next year and found that Latinx people had a 24 percent greater risk of low birth weight compared to the previous year. She explained that it’s not about the race of the person; it’s because of how they’re treated because of their race. So it can happen to everybody, and what I heard was “every body.” That’s why I went to West Virginia. There’s been an AIDS outbreak there because the pharmaceutical companies flooded West Virginia with opioid pills. Then people got addicted to heroin, and when you’re shooting up, that’s how AIDS can be passed. When I went there, it broke my heart seeing people who were so ill. I noticed the people looked older than they should, and I started thinking about what Arline Geronimus said.

RM: How do you find a balance between knowing too much and living as a Black person in this society?

LV: This work can pull you down, and I don’t want to let it, because I want to keep doing it as long as it’s necessary. My family is really close. If any of us gets sick, we are really good advocates. As an individual person and a member of a community, I take good care of myself even though I know that is not all you can do. The hardest part of this dilemma that we’re in is the part about racism in society. That’s the thing that no one wants to hear about.

“Why are we still thinking of this as a Black problem? This is a problem of the whole country.”
US CIVIL RIGHTS: ON THE ROAD TO FREEDOM

Jackson, Little Rock, Memphis, Selma, Birmingham, and Montgomery

SEPTEMBER 11–18, 2022

The civil rights movement is one of the most significant chapters in our nation’s history. Half a century after the assassination of Dr. Martin Luther King Jr., it is a moment for all of us to reflect on how far we’ve come and how much remains to be accomplished. While we are confronted with increasingly racialized violence and emboldened white nationalists, we can look to the victories of the past and to the hundreds of thousands of brave Americans who took part in this history-altering movement, fighting—and too often dying—for the cause of equality.

For those working toward social justice today, there are great lessons to be learned from the civil rights movement. A profound demonstration of commitment and courage succeeded against all odds. In the words of Dr. King, “The arc of the moral universe is long, but it bends toward justice.”

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Have you ever said to yourself “I'd love to get a computer, if only I could figure out how to use it.” Well, you’re not alone. Computers were supposed to make our lives simpler, but they've gotten so complicated that they are not worth the trouble. With all of the “pointing and clicking” and “dragging and dropping” you're lucky if you can figure out where you are. Plus, you are constantly worrying about viruses and freeze-ups. If this sounds familiar, we have great news for you. There is finally a computer that's designed for simplicity and ease of use. It's the WOW Computer, and it was designed with you in mind. This computer is easy-to-use, worry-free and literally puts the world at your fingertips.

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