

WHAT IS TO BE DONE

This has been a rough few weeks. The debate, followed by attacks on Biden's candidacy are painful and divisive. The partisan hacks on SCOTUS have savaged our democracy and the rule of law, ripped at the foundations of the administrative state, grabbed for power, and humiliated the not-so coequal branches. Corporate media has amplified the first, and ignored the latter. Details of Trump's Project 2025 continue to arouse fear of fascism and Trump's lies are treated as equal to Biden's facts.

The response of the leaders of the Democratic Party, to the extent there is one, is pathetic. The secret donor class is whining publicly enough to be picked up by the corporate media. Democratic politicians are cowering in their offices and texting us with fear-laden demands for money. When they aren't badgering us for money they offer us nothing to do but vote, as if all this were just part of a reality TV show and we were the online judges.

All of our so-called leaders have failed us. It's enough to gag a maggot. And it's time for action. It's time for us to force these people to live up to their privilege. I'm hardly the only one who thinks this way. Read this (and everything else) by Oliver Willis.

I don't know what will work. Nobody does. But that's our big advantage. There are millions of us. We can try all the ideas, and we can dream up new ones. We do not have to comply with phony expectations of propriety from the people who created this problem.



A. We can pound on the cowards and toadies

1. The New York Times and the Washington Post and most cable news networks have forgotten who actually reads or watches, and what their paying audience wants. They act like showering us with the views of the MAGAs and attacking us and our candidates is cool.

Let's remind them. Cancel all your subscriptions to these Quislings. Use your subscription money to support independent journalism or give it to your favorite candidate. Write them a snotty email with your cancellation. It feels good.

2. If you're on social media, insult all the corporate media reporters you see or can find. Every dig at Biden, every sly effort at dividing us, and every minimization of Republican treachery should be followed by a stream of outrage. Mention that you've cancelled your subscription. They don't read or report on this, but other people, including their money side and low-information voters, see it and it will make a difference.

3. Are you a member of a group capable of arranging a rally on, say the SCOTUS wrecking ball? Think strategically. Street marches that end in parks are the usual thing. But they don't draw media coverage. You know what will? A Rally for Reform outside the local TV station. A SCOTUS Sucks protest outside your local radio station. A Save Democracy From Fascism rally outside the local newspaper. A What Are You Doing To Protect Democracy gathering outside city hall, where reporters are usually hanging around. Make sure someone is prepared with talking points and push them at the reporters and cameras.

B. What about the legal situation

We can't make the following happen, but we can say it online and we can hammer on our

politicians demanding it. The organizations we support can file pleadings, even if they're ignored. And we can make our anger heard in a thousand different ways.

1. Judge Chutkan can recuse herself from the insurrection case. She could file a recusal statement saying she swore to uphold the constitution not the partisan hacks on SCOTUS who refuse to protect democracy (or something more adult).

All the decent judges in that circuit can follow suit, saying that the DC Circuit decision flatly denying immunity was right and they intend to follow that precedent. Eventually a Bork/Cannon agrees to try the case. This will emphasize the reality: the courts won't protect democracy. It will undermine SCOTUS and pressure Biden to demand immediate action to rein in SCOTUS.

2. Judge Chutkan orders that all pretrial motions will be filed by July 11. Starting July 15 there will be a marathon hearing on all motions. It will run 10 hours a day until complete. Trial starts 15 days later.

The DC Court of Appeals refuses a stay, and sits on the appeal. This forces the decision to SCOTUS whose interference at this point will damage them further and give Democrats more ammunition.

3. Special Counsel Jack Smith announces that the SCOTUS decision has rendered trial impossible. He files a motion to dismiss. Every organization we support files an opposition to the motion to dismiss. They point to all the public evidence. The boldest say that the immunity decision is an abuse of the power of the judiciary. Give those more money.

Chutkan grants the motion over the objections. Our organizations appeal. The case is in the media regularly, none of it relates to Biden, and there is no both-sides beyond defending a palpably partisan SCOTUS.

4. Jack Smith prepares a report laying out all the evidence against Trump that cannot be used at trial. He gives it to Garland. Garland gives it to Biden. Biden releases it in a very public way. He's immune because this is an official act. He instructs Smith to cooperate with all the state cases against fraudulent electors. He's immune because SCOTUS said so.

5. Special Counsel Smith indicts all the unindicted co-conspirators using speaking indictments, setting out all the evidence, all of it. This makes the evidence public.

6. Jack Smith supersedes with a treason indictment. Chutkan calls for motions as in 2 and sets immediate trial. That'll force SCOTUS to show its partisanship.

7. Dana Nessel, the excellent MI AG indicts Trump on the fraudulent electors scheme using the Smith evidence. Same in AZ. Maybe Fani Willis can figure out a way to clean up the mess in Georgia with a new indictment based on the new evidence.

8. Protesting is an activity at which young people excel. We can support groups like David Hogg's March For Our Lives and Leaders We Deserve, and Olivia Julianna's Voters Of Tomorrow and other groups focused on younger people. They can start showing up at every event featuring a MAGA SCOTUS rogue. Other groups like CREW can help, in part by sussing out good opportunities. These activists can put out public notices and encourage attendance. Same for restaurants, and any private events they and others can find. I'd be happy to show up in Chicago. SCOTUS MAGAts deserve to be shamed and shunned by polite society.

9. Lawyers attending conferences ask hard questions of all the FED SOC people. Law student organizations like The American Constitution Society publicly refuse to enroll in classes taught by people aligned

with the conservative legal movement.

C. Off the wall ideas

You can't get a good idea without some off the wall ideas.

1. Biden announces that he's told the AG and the FBI to investigate fully and report back in 60 days: a) whether Barrett, Gorsuch, or Kavanaugh committed perjury in connection with their nominations, including specifically the allegations of Christine Blasey Ford; b) the role of Ginni Thomas in the insurrection, the fraudulent electors scheme, and her contacts with former Thomas clerks on those matters; and c) the connections between Trump and Jeffrey Epstein and Ghislane Maxwell. He explains that this is possible because SCOTUS said the President is free to control the investigations done by the Department of Justice, so he's immune for these official acts, and he's just being vigorous and energetic.

Outrage erupts from the frothers. Then Biden says ha ha just kidding. You right-wing jackasses need to understand just how terrible you and your rotten SCOTUS and your felonious candidate are.

2. Biden announces that he's heard the calls for his withdrawal. He points out that if he withdraws, it will help the convicted criminal and hurt the millions of Democrats who support him. Then he says I'll withdraw after the convicted felon withdraws. He has to go first because no one believes he'll keep his promises, and everyone knows Biden will.

D. A personal request

I live in Chicago. My senator, Dick Durbin, is the chair of the Judiciary Committee. He's one of those old-timey Democrats whose love of senatorial privilege and bipartisanship is greater than his love of our democracy.

Call his office. You will talk to a staffer.
Explain your anger about his failure even to
hold a hearing on SCOTUS arrogance and
corruption. Say you know it must be awful to
watch up close as democracy fails and their boss
does nothing. Do your best to make them weep.

Thanks.