

“DEAD MAN WALKING:” MAGIC NUMBERS NINE AND FOUR

I'd like to look at a few things that Chuck Schumer said in a wildly counterproductive interview.

After a squishy exchange about the horrible people running for NYC Mayor, Lulu Garcia-Navarro challenged Schumer for his focus on upcoming elections. Schumer noted that the courts are our best bulwark against Trump's abuses (something that factored heavily in his decision to let the Continuing Resolution get a vote). But then Garcia-Navarro asked what happens when Trump starts ignoring judges, as he did Friday when deporting hundreds of mostly Venezuelans to El Salvador in defiance of an order from James Boasberg. Schumer said he hoped the five to six Senators who've spoke up in support of the courts would do so – but then suggested they might be more likely to do so in a few months, assuming Trump will become less popular.

You know, I've heard you and other Democratic leaders talk about the next election as if it's just going to be another election like any other election. But there has been all of this discussion about Trump auguring the end of democracy. I worry about this. When I say we'll win the election, I'm assuming democracy stays, but that we have to fight to make sure that happens. I think that Trump is destroying norms that have preserved our democracy for centuries, certainly for decades, and he's destroying them, and he doesn't care. What is our best bulwark? It's the courts. And one of the things we were able to do, which is proving very, very good, is we put in 235 new judges. And they're now hearing so many of the cases

that attorneys general, private citizens, unions and others are bringing. We've had preliminary success.

Are they going to respect those court orders, do you think? That is the \$64,000 question. So let us say the courts uphold this. And one of the people who will determine that more than any other is probably John Roberts, who is very conservative. I didn't vote for him. But I do believe that he believes in the courts. And so I think that even at the highest level, if you get the Supreme Court upholding the law, it will matter. What if Trump keeps going? That's the question everybody's asking. And I worry about this a lot. I wake up sometimes at 2, 3 in the morning thinking about this. I believe this, and it's a little bit in concert with what I've said to you before: I believe Republican senators, on this issue, will stand up. I've talked to some of them. *About five or six have said publicly they will work to uphold the courts, and to uphold the law if Trump tries to break it.* And we can do that legislatively if we have to. That's my hope. That's what we've got to work toward. *And I think there's a decent chance that that would happen, particularly if Trump, three months from now, is less popular.* [bold NYT's, italics mine]

Those five to six Senators have been silent since Trump's open defiance was revealed on Saturday.

Then, later, Schumer again pointed to his confidence that Republican Senators would like some distance from Trump.

The Republicans would like to have some freedom from Trump, but they won't until we bring him down in popularity. That

happened with Bush in 2005. It happened with Trump in 2017. When it happens, I am hopeful that our Republican colleagues will resume working with us. And I talk to them. One of the places is in the gym. When you're on that bike in your shorts, panting away next to a Republican, a lot of the inhibitions come off.

These passages were among those mocked by those prioritizing Schumer over Trump and Elon Musk. In the rush to condemn Schumer (who has canceled the book tour at which there were sure to be loud protests), people mocked the very idea that Republicans in the Senate would ever oppose Trump.

I think Schumer has earned a good deal of the criticism he's getting, even if I'm certain it is distracting from the focus on Trump and Musk.

I part ways with the claim that Senators will never split from Trump.

To be very sure, Trump *has* garnered near-total fealty, from the House and Senate, since his inauguration in January. His grip on the GOP has tightened year after year since he first sold his grievance narrative in 2018. The reason the Senate had this no-win choice in the first place is because, for the first time in recent memory, the GOP House stood together on a funding vote. Many of these Senators are veritable cult members, spouting the craziest nonsense that Trump told him to say.

But to suggest Senators will never split from Trump is counterproductive for two reasons.

First, to suggest you can never get Republicans to break with Trump is to concede.

It is to give up on one of just a few theories of change available – with just (successful) mass protest and revolution left – and to give up on the one that could bring results most quickly. In the short term, at least, it would

take just nine members of the House or four Senators to completely stall Trump's agenda on a particular issue, and fewer members of the House to cause gridlock. There are that many members who oppose Trump on discrete issues (most notably, Ukraine and Medicaid funding), and exploiting that reality is a tool, however inadequate. Even if you think a mass protest movement would be more successful, pressuring the Senators who've enabled Trump so far is a necessary (and fairly easy) step to push back against Trump.

In the interview, Schumer seems to too readily adopt James Carville's theory of change, to do nothing to accelerate this process (note, Carville's op-ed assumed House Republicans could not mount the unity to fund government). Perhaps he wants to avoid pissing off the men he's panting away next to in shorts in the Senate gym.

There's a great deal that people can do to make it more likely Senators will oppose Trump. I try to make a point of calling out Joni Ernst publicly every time Pete Hegseth disappears the accomplishments of women soldiers, or Thom Tillis every time Hegseth makes the military less safe, or Roger Wicker every time Hegseth has an embarrassing faceplant, or Bill Cassidy every time RFK Jr does something to exacerbate the measles outbreak, or Jerry Moran every time DOGE makes a stupid cut of VA benefits, or Todd Young every time Tulsi Gabbard repeats Russian disinformation, or John Cornyn every time Marco Rubio cuts back on PEPFAR, or Tom Cotton every time Trump does something that will help China. These people haven't hidden their disagreement on key issues or appointees with Trump. Yet, in spite of those disagreements, these people have all done things to support people they knew were wrong. As the consequences of their cowardice pile up – as measles spreads across the country from Texas and veterans lose their jobs – their complicity should be front and center.

And while right wing members of Congress are not

publicly confronting Trump, some of them are pushing back quietly, mitigating some of the damage Trump is doing – sometimes even in ways that extend benefits beyond their own jurisdiction. According to the NYT, for example, Deb Fischer was among those who pushed Trump to reverse some of the firings at National Nuclear Security Administration (though NYT also reports that NNSA lost many key experts nevertheless).

And GOP pushback will go largely unnoticed elsewhere. After succeeding in strong arming vaccine propagandist RFK Jr's confirmation to lead HHS, Trump withdrew the nomination for vaccine propagandist Dave Weldon to lead CDC, minutes before his confirmation hearing this week, because Weldon didn't have and wouldn't get the votes.

That's all we'll see of GOP pushback until proof of consequences of their own complicity and pressure on them mounts. But in a world where any kind of friction can slow the march of authoritarianism, even that non-public pushback bit matters, and it could provide definitive down the road.

By all means, scoff at Carville's outdated naivete and Schumer's unwillingness to more directly confront those he pants next to on the exercise bike.

But don't abstain from pressuring right wingers to show some courage against Trump's outrages.