"CONVENTION" REPORTS
ELIE MYSTAL, JOHN NICHOLS, JOAN WALSH

C PAM ZHANG'S WEST
LARISSA PHAM

The Nation.

SEPTEMBER 21/28, 2020

IS TRUMP PLANNING A COUP D'ÉTAT?

Many observers—including Republicans—worry that he is. They're organizing now to stop him.

SASHA ABRAMSKY

Letters

@thenation.com

Prey Without Predators

Re "Man and Beast" by Valentine Faure [August 24/31]: Predators are a big influence on animal behavior. Prey herds will move constantly and never overgraze an area if there are active predators. Without them, herds overgraze and kill their forage. I applaud this effort to rewild the Oostvaardersplassen, but we must be humble enough to realize that we don't understand the complexity of natural ecosystems that we may try to re-create. Don't give up. It is a worthy experiment, but it will require human intervention until the sweet spot is found.

Terry Sullivan

The Costs of Long-Term Care

Great story on nursing homes ["It's Time to Abolish Nursing Homes" by Sara Luterman, August 24/31]. But two important points were not mentioned. First, nearly 80 percent of nursing home residents come directly from hospitals, which send patients there after the hospitals can no longer receive additional insurance, Medicare, or Medicaid reimbursement. The federal government could require hospitals to notify patients of in-home care options before dumping them in nursing homes. Second, Congress could amend Medicaid to make in-home long-term care an entitlement, the same as with nursing homes.

Stephen Gold
PHILADELPHIA

My mother is in an assisted-living facility because this is what she can afford, even with two long-term-care insurance policies. Medicaid is available only after all your assets are exhausted. (Would there even be a home to remain in at that point?)

At current rates (about $25 per hour), it would cost approximately $18,000 per month for round-the-clock in-home care. That buys you an attendant—no doctor, no nursing care, both of which are readily available in assisted-living and skilled-nursing facilities. By contrast, an assisted-living facility costs about $7,000 per month.

So how do we pay home health workers more and also make the care affordable for patients? In-home care is too costly to be practical for all but the most privileged. At some point, we can't live on our own. We'll need help, and an aging spouse or hard-working children can't always be the answer. Facilities that are designed with people's physical needs in mind and are properly staffed provide a reasonable and cost-effective alternative.

The goal should be to make such places more workable for those who live there, including greater flexibility with schedules and more control over daily choices such as meals. The loss of independence is real, but so is the cost of private care.

David Schildkret

Comment drawn from our website
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Ending White Supremacy

Filled with grief and rage after the police lynched George Floyd, I began writing what became the op-ed "The Problem Is White Supremacy" in *The Boston Globe*. In it I explained that the nation's racial quagmire is caused not by a few bad apples but by a centuries-old system of oppression, and I asked the question: "What if we launched an initiative on the scale of the Marshall Plan or the space race to eradicate white supremacy?"

I intended my query to be thought-provoking, but answering it can help us understand how we might free this country from the terror and hypocrisy that poisons life on both sides of the color line.

To start, I would call the project the Hamer-Baker Plan. Fannie Lou Hamer and Ella Baker did as much as anyone who has ever lived to end white supremacy, and it feels appropriate to evoke their legacies in envisioning the completion of that task.

The purpose of the Marshall Plan was to rebuild European nations after World War II and to align them with the United States in the Cold War. Its goals were both economic and ideological, and the same should be true of the Hamer-Baker Plan—except that its ideological aim would be to consolidate justice, not power and empire.

To rectify centuries of economic exploitation, we must eradicate poverty, eliminate the racial wealth gap, guarantee full employment, and invest in the infrastructure of Black, brown, and Indigenous communities whose labor and natural resources have been stolen. It also would make sense to explore reparations. Prison abolition, defunding the police, and ensuring that all neighborhoods have the same resources as affluent areas would help end the system of mass incarceration that helps maintain white supremacy.

There are innovative strategies in operation right now that alleviate the consequences of structural racism, and these should be expanded. For instance, the Nurse-Family Partnership pairs first-time, low-income mothers with visiting nurses to help families get a healthy start and work toward economic stability. The Harlem Children's Zone offers wraparound programs for youths from birth through college, assisting their families to overcome poverty and securing students' chances of academic success. And Cure Violence (formerly CeaseFire) uses a public health model to end gun violence.

Currently, initiatives that focus on inequality in health care, education, and criminal justice are rarely integrated with one another or brought to scale. The Hamer-Baker Plan would close these gaps, encourage holistic approaches, and finally create a robust social safety net that benefits people of every background.

The Hamer-Baker Plan would not only maximize existing initiatives but would catalyze new ways to challenge systemic racism. A friend told me that he was ready to sign up for the Anti–White Supremacy Peace Corps (his concept). He was joking, but imagine if dedicated organizers fanned out across the country to help local residents rid schools, courts, workplaces, hospitals, and houses of worship of entrenched racism.

Because heteropatriarchy is integral to white supremacy, the plan would use an intersectional approach and address the impact of racism on the lives of women, transgender, and queer people of color. New York's Audre Lorde Project exemplifies this strategy. Founded in 1994 as a community organizing center for LGBTQ+ people of color, it has been centrally involved in the fight against police brutality and in coalitions for racial, gender, social, and economic justice.

There are myriad paths that this proposal could take. But now, amid cascading racial violence, it is easier to develop the components of a Hamer-Baker Plan than it is to picture the conditions that would lead to a national consensus that a project this sweeping needs to be done.

But when a consensus does emerge, it will not come from the top. It will come from the streets, from people organizing and demanding that the carnage must stop and that after more than 500 years, the system of white supremacy must end.

BARBARA SMITH

UPFRONT

COLUMNS

Features

Books & the Arts

VOLUME 311, NUMBER 6, SEPTEMBER 21/28, 2020

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Cover illustration: Victor Juhasz

BY THE NUMBERS

72%
Philippine President Rodrigo Duterte's net approval rating, despite more than 8,600 extrajudicial killings since he launched his war on drugs

55%
Share of Bharatiya Janata Party supporters who approve of Indian Prime Minister Narendra Modi's handling of Hindu-Muslim relations. He is accused of allowing an anti-Muslim pogrom that left more than 1,000 people dead in 2002.

76%
Percentage of people in France with a favorable view of the National Rally who believe that refugees increase the likelihood of terrorism

47%
Share of Brazilians who think President Jair Bolsonaro bears "no responsibility at all" for the country's more than 100,000 Covid-19 deaths

57%
Percentage of Republicans who said the US Covid-19 death toll of 176,000 people was acceptable

—Emily Berch

COMMENT

Conventional Bigotry

The RNC used Black speakers to sanitize racism.

In between the lies and the fearmongering and the stories about having intimate conversations with Jesus that somehow didn't include healing the sick or helping the needy, the goal of the 2020 Republican National Infomercial was pretty obvious. Republicans did everything they could to give white people permission to vote for a white nationalist bigot: Donald Trump.

Of course, most white Republican voters don't need permission to vote for a white supremacist, and the Republican National Convention had plenty for them. But there are other racist white people who miss their dog whistles. They don't think of themselves as "racists" and get more offended when they're called racist than they get over actual acts of racism. They support the bigotry and xenophobia that Trump brings, but they don't want to feel like bigots and xenophobes while supporting it. These white people need some cover, and this year's RNC provided it in the form of Black people who support Trump. The Republicans invited a cadre of professional Black friends—including South Carolina Senator Tim Scott, Kentucky Attorney General Daniel Cameron, and a few people who played football while Black—to validate Trump and make white people feel a little less racist while supporting white supremacy.

There's a word for what the Republicans did: tokenism. There are a lot of definitions of the term floating around. So, at the risk of sounding as intellectually constrained as Supreme Court Justice Neil Gorsuch, I'll use the Oxford English Dictionary's definition of the term. Tokenism (noun): "the practice of making only a perfunctory or symbolic effort to do a particular thing, especially by recruiting a small number of people from underrepresented groups in order to give the appearance of sexual or racial equality within a workforce."

It is important to understand that tokenism is not done to benefit minorities, not even the token minorities used in the scheme. Tokenism is done for the benefit of white people, to make them feel more comfortable and less complicit in the prejudice and bias of their institutions. It's done to shield white endeavors from accusations of discrimination. It is a cosmetic adjustment: a mere lacquer of Black faces painted onto the same old white spaces.

The Black people who were allowed to speak at this convention were there to transmit one message to white viewers: "It's OK." Trump's racism is OK because here's one of Trump's Black golfing buddies. Cops and vigilantes shooting Black people is OK because here's a Black ex-con who complied with the police and is still alive. All of them wanted to talk about their individual experiences with Trump. None of them talked about systemic issues facing Black people who don't have the benefit of knowing a Trump (or a Kardashian) personally.

The Black speakers were there to say, "Thank you, white folks," and fade off-screen.

The banality of these performances could be seen most clearly when you compared them with what the white speakers were allowed to do. Most of the white speakers came armed with some agenda. They wanted more farm subsidies or fewer abortions or more Jesus in schools or the right to shoot Black people walking past their homes. But the Black speakers appeared to want nothing. Instead, they were there just to say, "Thank you, white folks," and fade off-screen.

Most of the Black speakers had a specific story about how a white man helped them in their life. Tim Scott, for instance, spoke about a Chick-fil-A man who helped him graduate from high school. The ones who didn't have a nice white man to thank had to thank Trump directly. Jon Ponder had both. He spoke about a white FBI agent who helped him turn his life around—and then, as seen on a video recorded at the White House several hours earlier, Trump "surprised" him with a pardon.

This is what tokenism is all about: Making sure that Black people have no voice or role in shaping the agenda of an organization while dragging them out to thank white people for giving them an opportunity to be a part of that organization. There are legions of white people who view Black people only as criminals or charity cases and expect Black people to be happy with what charity or clemency is given. A Black person who demands equality makes those white people uncomfortable. A Black person who demands equality *now* makes those white people feel threatened. A Black person who is "just happy to be here" is the only Black person those white people want to see.

The astute reader will notice that I haven't been particularly critical of the Black and brown people who allowed themselves to be used as tokens by the Trump campaign. Don't let these Black Republicans fool you: Black people know tokenism when it's happening. We notice when people don't give a damn about us until it's school picture day. All tokens have a choice to smile for white people in exchange for the opportunities and prestige they can provide or to tell white people the truth and risk retaliation and ejection from the club. I try not to begrudge Black people who consent to be used. I've found myself regarding the Black bodies dancing for Trump with as much pity as disgust.

Still, the willingness of people to debase themselves does not absolve those who profit from the debasement. People of color are suffering from an economic collapse that disproportionately affects our communities, a pandemic that disproportionately affects our communities, and a criminal justice system that disproportionately murders people in our communities. And all the Republican Party had to offer in response were some Magic Negroes who were willing to help white people feel cool with bigotry.

I'm sure the RNC helped Trump with his base. White Republicans were able to listen to Black people tell them exactly what they wanted to hear. At least they got actual Black people to participate in the performance—instead of locking the Trump children in a room with a vat of shoe polish until Eric took one for the team.

ELIE MYSTAL

Asking for a Friend

The Farewell

Dear Readers,

I write, with regret, to tell you that this is my last "Asking for a Friend" column.

Having read advice columns all my life, I was honored when *The Nation* asked me to write one, especially since it was the first one the magazine ever published. "Asking for a Friend" was uniquely of *The Nation*, reflecting the problems that arise from being on the political left in a capitalist and sometimes right-wing world.

There is plenty of advice available from the mainstream media, especially on romantic relationships, parenthood, extended families, friendship, depression, and the workplace. But most of this advice assumes that your problems are entirely of your own making. "Asking for a Friend" was rare in its assumption that issues of the larger society—especially patriarchy, racism, and our economic arrangements—were at fault.

Yet "Asking for a Friend" was also uncommon in left-wing media for taking readers' problems seriously and trying to help solve them. Independent media rarely provides readers with advice about how to live our lives. We tend to leave that to the *O*s or *Cosmopolitan*s of the world, as if everyday life were so trivial—so dismissibly feminine—that we could outsource its dilemmas to corporate America. Of course, that's a mistake: We need help! Sometimes we need to be told how to cope, that perhaps putting an embarrassing political sign in your yard is good parenting, even if your teenagers disagree, and that capitalism, climate change, and Donald Trump are driving us mad.

As we are all so tired of having to have feelings about cancel culture, I'm pleased to report that no controversy or transgression has occasioned this column's cancellation. "Asking for a Friend" was sometimes controversial, however. My answers on polyamory, S and M, transphobia, and the ethics of stealing from chain stores provoked the most left-wing ire, while just about anything on sexuality tended to distress conservative readers. A letter from Marxist-Feminist Slut nearly made Reddit implode—and was written up in the right-wing media—but I suspect it was the very existence of such a person (#goals!) more than my answer that caused such an imbroglio. Most *Nation* readers were, of course, thrilled to learn that Marxist-Feminist Slut was a real person.

One of the questions I'm most frequently asked about the advice column is "Are the letters real?" The answer is yes. I have never invented one or smooshed several into a composite. I once learned that an advocate had made one up to call attention to her problem, and I was annoyed because it seemed unethical to me. Readers should be able to trust that the letter writers are real people.

Along with the complaints from the peanut gallery, some letter writers would let me know that the column had helped. A rude houseguest (presumably a *Nation* reader) wrote a gracious note of thanks to his hostess immediately after she complained to "Asking for a Friend" of his boorish behavior. In higher-stakes news, a desperate, unemployed man said he was dissuaded from armed terrorism by my answer to his letter. Another response helped a woman get her trans daughter back onto a girls' soccer team.

While I replied to many questions that fell within my lived experience as a white, middle-aged mother and human—questions about aging, sex, sexism, work, marriage, motherhood—there were many more that fell outside my personal ambit. An advice columnist must violate contemporary dictates to write about what you know and identitarian admonitions to sit down and shut up if you haven't had a specific problem yourself. "Asking for a Friend" frequently addressed racism, suicidal feelings, and many other issues that I haven't experienced. I appreciate that, apart from the occasional Twitter snipe, most people were tolerant of my efforts to navigate the unknown. It helped that I often reached out to experts and friends and could relay their counsel. While I relied on my instincts a great deal, the column was also deeply reported.

Some alienated intellectuals didn't think a serious political magazine

(continued on page 8)

ILLUSTRATION BY **JOANNA NEBORSKY**

FASCISM RISING

Ignoring Crises

On August 27, Hurricane Laura slammed into the Louisiana coast with 150 m.p.h. winds—the strongest hurricane to hit that area since 1856. Superheated conditions in the Gulf of Mexico had turbocharged the storm.

Laura made landfall just hours after Vice President Mike Pence delivered a speech laden with fascist overtones to the Republican National Convention and less than a day before President Donald Trump abused the White House by converting its grounds into a prop for his hour-plus speech, accepting the Republican Party's presidential nomination.

Like his boss, who spent this week ginning up law-and-order rhetoric, Pence didn't discuss climate change. Instead, he dismissed the protests against police brutality, going all in on the flag-waving, patriotism-and-glory message. If you thought there were more important issues than attacking people for taking part in political protest, think again. Climate change be damned. Pandemic be damned. Mass unemployment and rampaging inequality be damned.

In the run-up to the election, the Trump campaign, banking on a relentless barrage of imagery intended to stoke racial animosity and fear, will do nothing but hawk its vacuous patriotism that conflates grievance and cruelty with love of country. It is a quintessential example of the patriotism that Samuel Johnson disparaged as the last refuge of the scoundrel.

—Sasha Abramsky

Eric Alterman

Flattering Dear Leader

Brian Stelter's book Hoax *gets half the story about the sycophants at Fox News.*

Donald Trump has a few things in common with Joseph Stalin. In some ways, the comparison is an injustice to both men: Stalin was not a moron, grifter, or alleged rapist; Trump is not (as of this writing) a world-historical mass murderer. But both men were addicted to lies. They also smeared anyone who told the truth—or might one day tell the truth—as enemies of the people. A third, related similarity is that they listen to sycophants who praise their bravery and genius, even when the sudden, unpredictable shifts in their beliefs make it nearly impossible for these toadies to remain in good standing. Pity, therefore, the million-dollar babies at Fox News whose careers depend on this complicated skill.

Brian Stelter tells their story in his best-selling new book *Hoax: Donald Trump, Fox News, and the Dangerous Distortion of Truth*. The folks at Fox News are stuck on a hamster wheel, just like those who serve Trump in the White House. Fox News employees have a much nicer cage, of course. Its stars have annual salaries that can reach eight figures, and people most *Nation* readers have probably never heard can easily get paid in excess of a mere $1 million a year. The job is the same at Fox as it is in the White House: to fluff their Dear Leader. Sometimes this means anticipating what Trump will want to do next and suggesting it to him, at times privately but more often on the air while millions of people watch. Other times it means making a fool of oneself, often with a dose of faux outrage over anyone who would suggest that Trump's most recent bonkers claim was in any way deserving of criticism.

Stelter, who hosts CNN's *Reliable Sources* and is a former blogger and *New York Times* media reporter, has written a book that reads like a 350-page newspaper article: This happened, then that happened, then this anonymous person said this or that about this other person—plenty of gossip but little history or context and barely any explanation as to why something is happening or what it all means. He is unfamiliar with or at least uninterested in the significant body of scholarly literature that investigates the near religious devotion of the Fox News audience. Nor does he delve much into what these phenomena are doing to our country, our democracy, and by extension, the rest of the world. What he does effectively is illustrate, repeatedly and in different contexts, the following points:

§ Former Fox News CEO Roger Ailes was a paranoid right-wing tyrant and a serial sexual predator, but at least people knew what their jobs were when he ran the place, so almost everybody there misses him.

§ Host Sean Hannity acts as a kind of "shadow chief of staff" to Trump, even though he knows the president is "batshit crazy." Thing is, Hannity is, too; witness his horrific torture of the family of Seth Rich, the Democratic National Committee staffer who was killed in 2016, on behalf of a discredited conspiracy theory. Hannity is also lazy and often tapes his show in advance. For this, he gets paid upwards of $30 million a year.

§ The on-air personalities at Fox News understand that they are a) overpaid for what they do and b) likely unhirable anywhere else. They are therefore willing to abase themselves in the service of Trump's lies because if they don't, Fox's lemminglike audience will turn on them, and they will be left with nothing.

§ The Murdochs, who own Fox Corporation through a family trust, don't care about any of the above, as long as the money keeps rolling in.

Broadly speaking, the power and influence of Fox News—especially in its current Trump-servile iteration—creates two massive problems for American democracy. Stelter's book describes one and, unfortunately, embodies the other. The first problem is the perpetuation of what the authors of the book *Network Propaganda* call the "propaganda feedback loop." They define this as a "network dynamic in which media outlets, political elites, activists, and publics form and break connections based on the contents of statements, and that progressively lowers the costs of telling lies that are consistent with a shared political narrative and increases the costs of resisting that shared narrative in the name of truth." In other words, these people are living in a world of lies fed

In other words, these people are living in a world of lies fed to them by Fox News and Trump, and that's the way they like it.

BOTTOM LEFT: EVAN VUCCI / AP PHOTO; TOP RIGHT: ANDY FRIEDMAN

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What Kellyanne Conway was saying is that when it comes to lying, Trump is not guilty by reason of insanity.

to them by Fox News and Trump, and that's the way they like it. We are all aware of this problem. It is Trump's base.

The second problem, however, is the influence on the rest of the media of this extremely profitable, high-profile propaganda network that is allowed to masquerade as news. There is an amazing moment in the book when Stelter is interviewing pathological liar Kellyanne Conway for CNN—something that ought to set off alarm bells itself—about Trump's absurd claim that he was the victim of voter fraud and had been wiretapped by then-President Barack Obama. To Stelter's questions, Conway replied, "Excuse me? He doesn't think he's lying about those issues, and you know it." What Conway was saying is that when it comes to lying, Trump is not guilty by reason of insanity. And Stelter apparently accepts this as a satisfactory answer, at least to the degree that he gives her the last word on the topic. Much the same thing can be seen when Stelter quotes Lachlan Murdoch, the executive chairman and CEO of Fox Corporation, again with no pushback, when he describes CNN as the "soft left" and MSNBC as the "hard left." Recall that CNN is the news network that hired former Trump campaign manager Corey Lewandowski, despite the fact that a nondisparagement clause legally prevented him from not just telling the truth about Trump but even from criticizing him. It is also the news organization that brought on current White House press secretary Kayleigh McEnany while she was still a law student to be one of Trump's many network dissemblers. Meanwhile, "hard left" MSNBC gives 15 hours a week to Joe Scarborough, a former Republican congressman, and 10 to Nicolle Wallace, George W. Bush's former communications director. If you were wondering why both-sides journalism is today "balanced" between incitement to race war on the one hand and old-fashioned establishment centrism on the other, well, there's your answer. ■

(continued from page 5)
should have an advice column. A reactionary New York University professor dismissed me as a "left-wing Dear Abby." (I still don't get why that was an insult; Abby was iconic!) There's an element of sexism to the dismissal of advice columns, which are almost always written by women and, in our era, sometimes gay men.

Although "The personal is political" is an important feminist slogan, there is sometimes a leftist disdain for the personal dilemma because, after all, everything is systemic. But just saying that over and over again doesn't help you raise your kids or break up with your boyfriend.

"Asking for a Friend" spanned almost five years and some drastic changes in our world, including the election of Trump (along with other right-wing leaders abroad), Covid-19, the rise of Bernie Sanders and the socialist movement he represents, the emergence of a massive uprising against racist state violence, and increasing concern about climate meltdown. Each of these changes caused immense upheaval in our readers' lives—some of it good, all of it real—and "Asking for a Friend" was lucky to be able to help.

It was former *Nation* executive editor Richard Kim's idea that I should write an advice column, and I remain grateful to him, as well as to Sarah Leonard and Christopher Shay, the column's editors, whose enthusiasm and intelligence informed "Asking for a Friend" every month. The delightful illustrations by Joanna Neborsky were also critical.

Mostly, thank you for writing in. An advice column is nothing without letters from readers, and yours were well written, vulnerable, and risky. You understood what the column was: an exploration of problems whose personal and political stakes were of equal interest. In the acknowledgments of their books, writers often thank people "without whom this could never have been written." Of course, in the case of an advice column and its letter writers, this is uniquely true.

Although "Asking for a Friend" is disappearing from these pages, I'm not going anywhere. I've been writing for *The Nation* since the early 1990s, and I plan to stay on as a contributor. But if you want my advice, we'll have to grab a coffee.

—Ever Grateful

COMIX NATION

PETER KUPER

From Library to Legacy

"**I've been reading *The Nation* since I was in college.** It helped me with my political education. At that time I didn't have a dime for any donations.... I got my copy at the library. Now I'm much older, retired, and can help groups such as *The Nation*. **I'll keep supporting *The Nation* as long as I can,** in the realization that it can educate others and younger members of society."

—Pat Allen, Calif.

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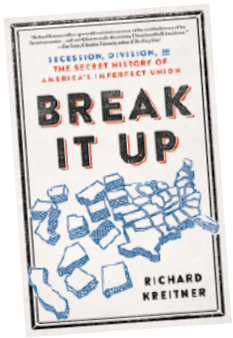

IN OUR ORBIT

Going to Pieces?

In 2016, when *Time* magazine named Donald Trump its person of the year, it cheekily labeled him "the president of the Divided States of America." Four years later, with Trump stoking racist attacks and threatening cities run by Democratic mayors, the country is splitting—sometimes violently—along the lines of geography, class, religion, and race. *Nation* contributing writer Richard Kreitner, in his ambitious new book *Break It Up: Secession, Division, and the Secret History of America's Imperfect Union*, reminds us that the United States has always been a fractious country. He describes the long history of secessionist movements, from Northern separatist campaigns before the Civil War to more modern schemes for an independent Pacific republic, and writes, "Seeing the Union through the eyes of those who seek and have sought to divide it allows us to understand the United States as the tentative proposition it always was and still is, as an experiment that might fail at any time."

Nation editorial director Katrina vanden Heuvel says of Kreitner's book, "This fiery and fresh exploration of the idea of disunion across four centuries helps us understand how today's fractured landscape is not a new development but a return."

Given the growing extremism of the GOP, could the country really be headed toward a breakup? In a recent interview with *The Young Turks*' Cenk Uygur, Kreitner estimated that the odds of the country staying together over the next 20 to 30 years were "50-50 at best."

Kali Holloway

The Whitelash Next Time

White anti-racism has always had too short a shelf life.

Two months. That's how long it took for white Americans' support of Black Lives Matter—which climbed to an unprecedented peak in June after the brutal police murder of George Floyd—to tumble back toward preprotest levels. Over the same period, surveys show, declining numbers of white respondents cited anti-Black racism as a "big problem" in American society. An NPR/Ipsos poll from late August found white people are the racial group least likely to report taking even the most minor "actions to better understand racial issues in America" since protests began sweeping the country. Just half of white Americans concede "racism is built into the American economy, government, and educational systems." And 49 percent believe America has already done enough "to give Black Americans equal rights with white Americans."

It's always true that most white folks are unbothered and unmoved by anti-Black discrimination and violence; the steadfast endurance of American institutional racism proves that. It is also clear from history that white anti-racism has always had a dangerously short shelf life. Ignore the barrels of digital ink spilled lately about white people's new willingness to reckon with structural racism. When the pendulum swings toward Black equality and full citizenship, white supremacy mounts a counteroffensive.

Cornell University historian Lawrence Glickman notes the word "backlash" gained circulation during the civil rights movement in 1963 as a shorthand for the "topsy-turvy rebellion in which white people with relative societal power perceived themselves as victimized by what they described as overly aggressive African Americans demanding equal rights." The term summed up the most reliable white reaction to Black rights dating at least to Reconstruction, when the mere facts of Black emancipation and voter enfranchisement were construed as provocations for justifiable white racist terrorism. Between 1865—when six former Confederate soldiers founded the Ku Klux Klan—and 1950, nearly 6,500 Black men, women, and children were lynched for affronts that included bumping into a white woman and not using "Mister" when talking to a white man. "The more I studied the situation," wrote Ida B. Wells, "the more I was convinced that the [white] Southerner had never gotten over his resentment that the Negro was no longer his plaything, his servant, and his source of income."

Refugees of the Great Migration, the mass movement of African Americans to the North and West to flee that terror, were subjected to yet more white violence. Enraged by Black folks seeking equal employment and housing, as well as returning Black World War I veterans' demands for the rights at home they had fought for abroad, white mobs in at least 25 riots around the country—including in Chicago; Syracuse, N.Y.; and Washington, D.C.—killed over 250 African Americans during the Red Summer of 1919. Those murders foreshadowed anti-Black pogroms in the thriving Black enclaves of Tulsa, Okla., in 1921 and Rosewood, Fla., in 1923.

The white backlash is typified by what Glickman identifies as "its smoldering resentment, its belief that the movement [for Black rights is] proceeding 'too fast,' its demands for emotional and psychological sympathy, and its displacement of African Americans' struggles with its own claims of grievance." Case in point: Just months after passage of the 1964 Civil Rights Act, *The New York Times* reported pervasive white anger over "inverse discrimination." Then as now, backlashers maligned Black protests and uprisings, insisting property destruction canceled out Black deservedness of human rights. In one 1963 survey, 73 percent of white Southerners and 65 percent of white Northerners said civil rights demonstrations "hurt the Negro's cause for racial equality," and multiple white New York City dwellers told the *Times* in 1964 that "*nonviolent* civil rights demonstrations had hurt Negroes' chances" (my emphasis). Historical revisionism has attempted to erase the fact that 75 percent of white folks disapproved of Martin Luther King Jr. in early 1968. In the 1960s, when he was leading protests, a survey found that just 36 percent of white Americans thought he was helping "the Negro cause of civil rights."

Trump's presidency is a confirmation of America's pattern of Black political progress and white retaliation.

"The trigger for white rage, inevitably, is black advancement," Carol Anderson wrote in her 2016 book *White Rage*. That rage helped ardent segregationist and presidential candidate George Wallace win five Southern states in 1968 and five primaries in 1972, including Michigan and Maryland. Promises to send "welfare bums back to work" and to defend white home sellers' right to "discriminate against Negroes" propelled Ronald Reagan to California's governorship in 1966 and later to the Oval Office. It is right to call the 2016 election of Donald Trump a white backlash against the first Black president—one so fervent, it won poorly educated, college-degree-holding, and young white folks alike—but it is also critical to recognize it as just one white backlash among many. Trump's presidency is no anomaly but a confirmation of America's pattern of Black political progress and white retaliation.

So here we are again. White vigilantes have attacked Black Lives Matter protesters nearly 500 times this year. In recent incidents, MAGA racists poured into Portland, Ore., and fired pepper spray and paintballs at protesters from moving vehicles. In Kenosha, Wis., a white 17-year-old who is accused of murdering two protesters was treated like a brother-in-arms by cops. Trump labeled the violence a "big backlash," without realizing what he was admitting about the tradition of white American terrorism. And despite the violence of white actors, protesters are being demonized for stating unequivocally that Black folks have a right to exist. The dwindling white support for that declaration is a reaffirmation that white liberals and moderates, to quote King, are "more devoted to 'order' than to justice" and will always opt for "a negative peace which is the absence of tension to a positive peace which is the presence of justice." White supremacy is again making its resilience known. And the backlash, sadly, is only getting started. ■

Despite the violence of white actors, protesters are being demonized for stating unequivocally that Black folks have a right to exist.

SNAPSHOT

Protesting a Tyrant

A woman walks past barbed wire separating security forces and opposition supporters during a rally in Minsk, Belarus, on August 30. Tens of thousands have taken to the streets to demand that President Alexander Lukashenko step down after he claimed victory in an election widely believed to have been rigged.

AP PHOTO

Calvin Trillin
Deadline Poet

George Washington and the Cherry Tree—Updated

Young George could not deny he felled that tree.
His moral code would certainly forbid it.
In such a situation, Trump would say,
"I cannot tell a lie: Obama did it."

The Nation.

IS TRUMP PLANNING A COUP D'ÉTAT?

Many observers—including Republicans—worry that he is. They're organizing now to stop him.

SASHA ABRAMSKY

This summer, shortly after scores of camo-wearing, heavily armed federal agents descended on Portland, Ore., to attack protesters, Charles Fried, Ronald Reagan's solicitor general, pondered the implications of what he was seeing on the streets. What he saw scared him; he remembered the use of paramilitaries by fascist leaders in 1930s Europe, where he was born, and he feared he was now witnessing a slide into paramilitarism in the United States. (His family fled the Nazi occupation of Czechoslovakia.) Fried felt that President Trump was using the Department of Homeland Security and other government agencies in a way that was "very menacing. You might as well put brown shirts on them. It's a very bad thing."

A Harvard Law School professor who still counts himself as a Republican and a board member of groups such as the Campaign Legal Center, Checks and Balances, and Republicans for the Rule of Law, Fried has grown increasingly worried in recent months about Trump's willingness to stir chaos and violence as an electoral strategy in the run-up to November's vote and about the willingness of his attorney general, William Barr, to burn the country's democratic institutions to the ground to preserve this administration's hold on power. Like earlier authoritarians, Trump could, Fried fears, utilize "agents provocateurs, getting right-wing people to infiltrate left-oriented and by-and-large peaceful demonstrations to turn them violent to thereby justify intervention."

Fried, a student of history who chooses his words carefully, has concluded that Trump and his team are "certainly racist, contemptuous of ordinary democratic and constitutional norms, and they believe their cause, their interests, are really the interests of the nation and therefore anything that keeps them in power is in the national interest. Does that make you a fascist? It kind of looks that way, doesn't it?"

Michael Steele, a former chair of the Republican National Committee, has come to share Fried's conviction that Trump is a threat to the Republic, although Steele believes the Trump cult is more about naked political opportunism than any grand fascist ideology.

Steele bitterly resents Trump's takeover of the GOP. He feels that Trump and his acolytes are trying to drive genuine Republicans out of their political home. As Steele piquantly puts it, "I come into your house and shit on the carpet. I tear down your drapes, write on your walls, offend the people who live in the house. Do you leave or kick my ass out? I don't know anyone who leaves their house without a fight. What kind of America, what kind of country do you want? What kind of leader do you want?"

Like Fried, Steele in recent months concluded that Trump, aided and abetted by the GOP's congressional leaders, is willing to "open up a Pandora's box of mischief" to remain ensconced in the White House, Steele says. "He's laying down the predicate—taking shots at vote by mail and saying he already knows there's fraud—and therefore it's likely he won't accept the results of the election." For Steele, Trump is "the P.T. Barnum of the 21st century, on steroids," a man with a mastery of the art of manipulation. "He doesn't give a shit about the people of Portland. He doesn't give a crap about Chicago," Steele avers. "This is not complicated. I don't know why people keep overthinking this man. His goal is to protect himself. He uses the system against itself."

"He is an egomaniac. The sun travels around him. He thinks he's Louis XIV."

—Stuart Gerson, acting attorney general, George H.W. Bush administration

This summer, Fried, Steele, and other devotees of traditional conservatism began coordinating with fellow anti-Trump conservatives around the country, as well as with progressive organizations, to strategize responses should Trump attempt to maintain power despite rejection at the polls. Some participants formed the Transition Integrity Project, which includes campaign experts such as Michigan Democratic ex-governor Jennifer Granholm and Democratic Party consultant Donna Brazile, along with Steele and other old-guard GOP stalwarts. They fear that if mail-in votes are still being tabulated weeks after the election and—as seems increasingly likely—barrages of lawsuits are filed by the candidates' campaigns, conditions could be ripe for Trump to create maximum mayhem.

In their sobering 22-page report, they write of the potential for "escalating violence" if Trump loses and refuses to bow out gracefully. Given the administration's record of embracing "numerous corrupt and authoritarian practices," huge numbers of Americans must be ready to take to the streets should Trump and his henchmen

Heimat security: The president sent federal officers to counter protests in Portland, Ore., this summer.

NOAH BERGER / AP PHOTO

ILLUSTRATION BY **VICTOR JUHASZ**

try to illegally curtail the counting of mail-in ballots. The administration could deploy federalized National Guard troops to stop vote counts. Indeed, on the day Joe Biden accepted the Democratic presidential nomination, Trump suggested on Fox News that he could order federal agents, even local sheriffs, into polling stations ostensibly to monitor fraud. Trump and his allies could also challenge the results in numerous states simultaneously, send federal forces into Democratic-controlled cities, and through social media accounts and speeches, activate right-wing paramilitary groups.

The report warns that a desperate Trump could push the American republic to the breaking point. The authors even envision scenarios in which Trump wins the Electoral College but loses the popular vote and exploits the ensuing unrest, goading Western states into attempting to secede from the Union.

Increasingly, election observers point to the possibility of Trump using the courts to contest so many states' ballot tallies that the Supreme Court ends up as the ultimate arbiter, as happened in the 2000 election. In some scenarios he loses, but his campaign refuses to accept state results, aiming to tie up the process so that states can't certify their results in time for the January inauguration. In others he dispenses with the legal niceties and simply refuses to cede power, banking on enough backing from quasi-military agencies supportive of his agenda, such as Immigration and Customs Enforcement and Customs and Border Protection as well as law enforcement agencies at the local level and militia groups, that it would take a military intervention to bounce him from the White House. Something like this scenario was outlined in an open letter to Gen. Mark Milley, the chairman of the Joint Chiefs of Staff, by two Iraq War veterans, John Nagl and Paul Yingling, in mid-August. "If Donald Trump refuses to leave office at the expiration of his constitutional term, the United States military must remove him by force, and you must give that order," they wrote.

But relying on a conservative-dominated Supreme Court or a military that has been conditioned—for good reason—never to intervene in domestic political disputes is hardly a surefire path to protecting the country from Trump's dictatorial ambitions. Which brings us back to people power.

Two of the main organizations that have begun planning mass mobilization are the Indivisible Project and Stand Up America. Between them, they have brought together dozens of organizations and movements—from Public Citizen, MoveOn, and the End Citizens United Action Fund on the left to Republicans for the Rule of Law and Stand Up Republic on the right—inspired by nonpartisan groups such as the National Task Force on Election Crises. The goal is to build a grassroots legal and political infrastructure capable of pushing back against efforts to undermine the electoral process. As Trump's attacks on it have intensified, additional groups have joined this nascent pro-democracy movement, including the Service Employees International Union and the Sunrise Movement.

Ezra Levin: Indivisible Project

Rahna Epting: MoveOn

Vanita Gupta: Leadership Conference on Civil and Human Rights

People power: Thousands gathered in New York City's Battery Park to protest Trump's Muslim travel ban, January 29, 2017.

"We're putting a lot of energy into this," says Ezra Levin, a cofounder of the Indivisible Project and one of the organizers of Protect the Results (a joint project of Indivisible and Stand Up America). "Indivisible brings to the table people power. We started in December 2016 in response to Trump. Three and a half years later, we have thousands of locally led Indivisible groups around the country. We're teaming up with other groups, including Stand Up America."

Levin is well aware that what they are planning isn't a run-of-the-mill protest; rather, they will have to coordinate a national campaign capable of bringing millions of people into the streets—and not just for a day but for weeks and potentially months. They are going to have to develop a durable movement that could operate like the democracy movement in Hong Kong or the movements that peacefully brought down Communist rule in Eastern Europe a generation ago.

Levin argues that Trump "can try to cling to power and use extraconstitutional means," but "the tool we have is people at the local level. That's how a democracy works. The one tool in our toolbox is participation. We need mass participation in that moment."

Indivisible points to its demonstrated ability to mobilize huge numbers of people to protest family separation early in the Trump presidency and to activate the networks that marched in the streets calling for impeachment in 2019. Those actions—along with the Women's Marches, mobilizations around the climate crisis, and of course, recent outpourings of support for racial justice—have shown that people power can shape events even in the Trump era. "There is no referee in the sky who's going to evaluate the evidence and give [the presidency] to the pro-democracy forces," says Levin. "That's not how this works. It is not a question in my mind whether we'll be able to get people to show up. The question is 'Where do you take people?'" Sean Eldridge of Stand Up America agrees. "We're going to need all hands on deck," he argues. "There's a lot of scenario planning and coalition building still to do."

Some of this groundwork involves getting millions of people in all 50 states to sign up for SMS alerts. Some of it involves getting lawyers to volunteer to help with election-related issues in the weeks surrounding the vote. Some involves grassroots education campaigns—for example, publicizing efforts by the administration to undermine the Postal Service. Some is about talking with labor organizations about the prospect of going on strike

and gridlocking the economy if Trump attempts to steal the election. "There's going to be litigation, mass mobilization, policy options by governors, state attorneys general, members of Congress," says Vanita Gupta, the president of the D.C.-based Leadership Conference on Civil and Human Rights.

Protecting the elections, says Rahna Epting, the executive director of MoveOn, "will take multiple different tactics. People are starting to connect the dots—and all the work that movements have done across the generations. People are starting to come out. People will be inspired and motivated to protect their country. Will we be successful? We're going to fight like hell to make sure we are."

"I wrote an op-ed during the campaign of '16 pointing out all the similarities between Adolf Hitler and Donald Trump," recalls Tom Coleman, a former Republican representative for the Sixth Congressional District of Missouri and now a member of the National Task Force on Election Crises. (The op-ed was never published.) But to his frustration, even as Trump's actions as president seemed to validate Coleman's warning, his erstwhile colleagues in the GOP didn't distance themselves from the tycoon-cum-politician. Even today, Trump's attacks on the electoral system and his promotion of civil conflict are met largely with silence from the GOP's grandees.

"A concern is what we are seeing right now: federal law enforcement in major cities engaged in actions with protesters that generates civil unrest and battles in the streets," says Trevor Potter, ex-chairman of the Federal Election Commission and currently president of the nonpartisan Campaign Legal Center. "To me, it was a far-fetched, hypothetical idea till we saw it in Portland. It could lead to sufficient civil unrest [such] that it is, in fact, difficult to conduct an election in those cities." Potter worries that Trump could declare a form of martial law in Democratic-controlled cities or pressure GOP governors to issue stay-at-home orders in their bigger, more liberal cities. Some observers have mused about the possibility of Republican governors deploying the National Guard in the weeks surrounding the election. "On the election side, is there a remedy when parts of the state cannot vote on Election Day for reasons beyond their control?" Potter asks.

Trump has talked vaguely about the extraordinary powers he could seize during a putative national emergency. He has demanded—and largely won—increasingly politicized enforcement actions from the Departments of Justice and Homeland Security and other key agencies. And in recent weeks he's leaned on legal advice from people such as John Yoo, an author of the infamous torture memos used by the George W. Bush administration, who advocates the use of executive orders to exert virtually unfettered presidential power.

Coleman worries that, under the pretext of protecting federal courthouses and other property, Trump is using federal agents "to chill turnout in the election. People are going to be scared. And where? In the major cities. And it's to prepare his base to use these forces, so if he contests the election [result], these forces could be seen as an asset to be utilized."

DREW ANGERER / GETTY IMAGES

Black Lives Matter: Demonstrators near the White House protest police brutality and the murder of George Floyd, June 3.

Stuart Gerson, who served as acting attorney general under President George H.W. Bush, says this moment increasingly reminds him of Isaac Asimov's *Foundation* trilogy, which was about a "society based on predictive behavior, and then along comes a character called the Mule, who upsets the democratic applecart. Trump is the Mule. He throws norms into a cocked hat. He is an egomaniac. The sun travels around him. He thinks he's Louis XIV."

Democracies survive when all major players respect the ground rules. They crumble when significant players start to flout those rules—and get away with it. Gerson has concluded that Trump is only too willing to circumvent Supreme Court decisions, is perfectly capable of issuing illegal orders to the military to attack domestic political opponents, and would likely show no compunction in ignoring an election result that doesn't go his way. Each time he's gotten away with crashing through a democratic constraint, his ambitions have escalated. During the impeachment hearings, Trump's lawyers argued that as president, he was above and outside the law. Postimpeachment, he has sought to implement this theory of governance.

"We have to do everything we can to make sure it is a landslide victory, to make it less likely [Trump] can fight it."

—Rahna Epting, executive director, MoveOn

Organizers fear that Trump is prepping the ground for a de facto coup. But they also hope that he can be headed off by a massive wave of aroused and empowered opposition. There is, after all, a growing public awareness of the existential threat to the country's democracy, with a drumbeat of warnings from Biden, Barack Obama, Colin Powell, and other senior political figures. Levin, Fried, and the others involved in Protect the Results are hoping that this will generate an unstoppable electoral wave, resulting in such a thorough, incontestable rejection of all that Trump stands for that his ability to challenge the results will be chopped off at the knees.

"The more Trump turns up the temperature, [the more] he is angering the public. They're tired of the chaos, tired of his mismanagement," argues Epting. "We have to do everything we can to make sure it is a landslide victory, to make it less likely he can fight it."

Trump will, Gerson believes, "ultimately lose. Either because he spins the wheel and can find a face-saving way to move out into history or [because] the wheel is spun for him. This is in our hands, and there are democratic means to accomplish this peacefully. And it is the public's responsibility to act." ■

Sasha Abramsky's most recent book is Jumping at Shadows: The Triumph of Fear and the End of the American Dream.

AN AGENCY AGAINST ITSELF

Under Trump, the National Labor Relations Board is sabotaging its own mission.

MICHELLE CHEN

On a June afternoon in 2019, in front of a statue of George Washington at Federal Hall in New York City's financial district, more than 100 construction workers and activists gathered for a First Amendment rally. Amid chants of "Free speech, free speech!" an approximately 15-foot-tall gray inflatable rat with glaring red eyes bobbed in the sun. The workers, mostly members of Laborers Local 79, weren't defending speech, exactly. Rather, they were demanding their right to display Scabby the Rat, the mascot deployed at job sites to shame anti-union bosses.

The challenge to these workers came from a seemingly unlikely quarter: the National Labor Relations Board, a federal agency responsible for interpreting and enforcing labor law. The NLRB's general counsel, Peter Robb, had launched a legal assault to ban Scabby from a nonunion construction site at a Staten Island supermarket. Arguing that its menacing presence amounted to illegal protest activity against a "neutral" business under the National Labor Relations Act, Robb, who was appointed by President Donald Trump in 2017, sought a federal court injunction that would effectively outlaw Scabby across the country.

On the steps outside the hall where the Bill of Rights was ratified, Chaz Rynkiewicz, Local 79's director of organizing, took the microphone and denounced Robb as "an anti-union lawyer that, before he was head of the NLRB, worked for corporations to break unions…. If you know any Trumpsters out there, let them know, educate them. They need to know that they can't love [their] union and love Trump."

So far, Scabby has survived the legal attacks. In July 2019, a federal district court judge denied Robb's request for a preliminary injunction in the Staten Island case. But the giant rat remains under threat: An earlier case against Scabby in Philadelphia is still pending before the NLRB.

The zeal with which Robb has pursued the cherished totem of union solidarity reflects how far the NLRB's agenda has shifted under Trump. A report by *The Nation* and Type Investigations—based on interviews with more than 25 labor advocates, attorneys, and current and former NLRB staff members—reveals that the federal agency that's supposed to protect union rights is instead championing the interests of management.

The NLRB is tasked with administering union elections and processing unfair-labor-practice cases under Section 7 of the National Labor Relations Act, which protects "concerted activity," the collective action that workers take to try to improve conditions on the job. Over the years, the NLRB's rulings have tended to oscillate between pro-worker and pro-management decisions, depending on which party holds the White House.

But with management-side lawyers dominating the agency, which is run by a five-seat board and a general counsel, labor advocates say the NLRB is more stridently anti-labor than ever before and is sabotaging its own mission. Not only has Trump's board consistently sided with bosses, but career civil servants at the NLRB's regional branches say they are being deprived of funding and staff.

Even before Trump's appointees began to undermine the agency, labor organizers were frustrated with the NLRB. Cases often require years of litigation, and remedies typically entail only back pay or reinstatement after a worker is unlawfully fired—not penalties stiff enough to deter employers from abuse.

After the rally in New York, Rynkiewicz told me, "As an organizer for 20-plus years, I've never viewed the NLRB as an ally of labor. It's a shame to say."

Just before Scabby was deflated, Rynkiewicz added, "The right-wing anti-union people want to portray the NLRB as a friend of labor. It's not—even on a good day…. When you have the board's majority put in place by the Democrats, you get nothing. When you have the board's majority put in by the Republicans, you get an attack."

"If you know any Trumpsters out there... educate them. They need to know that they can't love [their] union and love Trump."

—Chaz Rynkiewicz, Laborers Local 79

Radical Rollbacks

The shortcomings of the NLRB are to some degree baked into its structure. During the labor uprisings of the 1930s, police and the National Guard members frequently killed striking workers. Established by the National Labor Relations Act in 1935, the NLRB was designed to maintain labor peace by absorbing the often violent conflicts into the legal arena. The act, a compromise between labor and management, forced companies to bargain with unions, but it also excluded whole categories of workers, such as farm laborers, and effectively limited collective bargaining to individual companies, not whole industries or sectors.

After World War II, conservative majorities in Congress gutted the National Labor Relations Act with the Taft–Hartley Act of 1947, which expanded employers' power to suppress workplace organizing, allowed the government to break up strikes deemed "national health or safety" threats, and required anti–Communist Party pledges from union officers, which led organized labor to purge many of its most militant union members.

Over the next several decades, organized labor withered in numbers and political clout. With private sector union membership now down to about 6 percent, workers and unions are often left seeking justice through this byzantine, Depression-era judicial apparatus.

The NLRB's board is currently dominated by three conservative Trump appointees, two with ties to law firms that have represented some of the country's largest employers. Board chairman John Ring and board member William Emanuel are lawyers who defended companies such as Marriott International and Uber, respectively. A third member, Marvin Kaplan, previously worked on

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PHOTO ILLUSTRATION: CINDY LEE

labor policy as a counsel for House Republicans. The board's lone Democrat, Lauren McFerran, left when her term expired in late 2019 but was reappointed in August. Neither the Trump administration nor the Senate has moved to fill the board's fifth seat, which has been vacant since August 2018.

Robb, the NLRB's general counsel, operates independently of the board and is a veteran management-side lawyer who worked with the Reagan administration to bust the air traffic controllers' union. While the NLRB's regional branches process most of the unfair-labor-practice charges—handling investigations, adjudications, and settlements—Robb shapes the agenda for the board, which rules on complaints appealed from the regional level, setting precedents for how the National Labor Relations Act is applied and enforced.

Shortly after being sworn into office in November 2017, Robb set about reversing the legacy of the previous board, which had incrementally expanded workers' rights. In a series of sweeping decisions, the board scrapped rules instituted under Barack Obama barring workplace policies that impinge on the right to organize, axed a prohibition against employers making unilateral changes to collective bargaining agreements, and overturned a ruling allowing workers to form smaller bargaining units within a larger workforce.

One of the board's most influential decisions dealt a severe blow to efforts to extend collective bargaining rights for contracted workers. Under Obama, the NLRB loosened the joint employer standard, which determines whether a company can be considered an additional employer of workers hired through a contractor, such as a franchise operator or subcontracted cleaning agency. In 2015, the board ruled that a company could be considered a joint employer if it exercised "indirect control" over workers or had the ability to exercise control.

The Trump board restored a more restrictive joint employer standard—first through a 2017 decision, which the board vacated because of a conflict-of-interest issue, then in 2020 through the administrative rulemaking process. The move upended a multiyear legal challenge brought by McDonald's workers, who claimed that the company had enough influence over its franchisees to be considered a joint employer and was therefore liable for retaliation against workers involved with the Fight for $15, the campaign for a $15 hourly minimum wage and a union.

The board's initial moves to nullify Obama-era provisions have been followed by rulings that limit workers' rights far beyond those under previous Republican administrations. In August 2019 it reduced workers' rights to protest on private property, determining that management could block musicians with the San Antonio Symphony from leafleting at a performance venue because it was not owned by their employer. It also excluded faculty at religious colleges and universities from its jurisdiction and allowed bosses to bar workers from organizing on company technology and equipment, including the use of e-mail.

In recent months, the board has also used its rulemaking process to roll back pro-worker regulations, especially in regard to union elections; make it easier for employers to interfere with voting; weaken rules that protect unionizing construction workers; and shorten the time that employers must wait before petitioning to oust a union.

"It's breathtaking how many areas of the law, how many precedents they've managed to overturn," said Wilma Liebman, a chair of the NLRB under Obama. "And they just kind of snap their fingers and do it, in my view, with little regard for the quality of the legal thinking or reasoning, reaching out to decide issues that aren't before it."

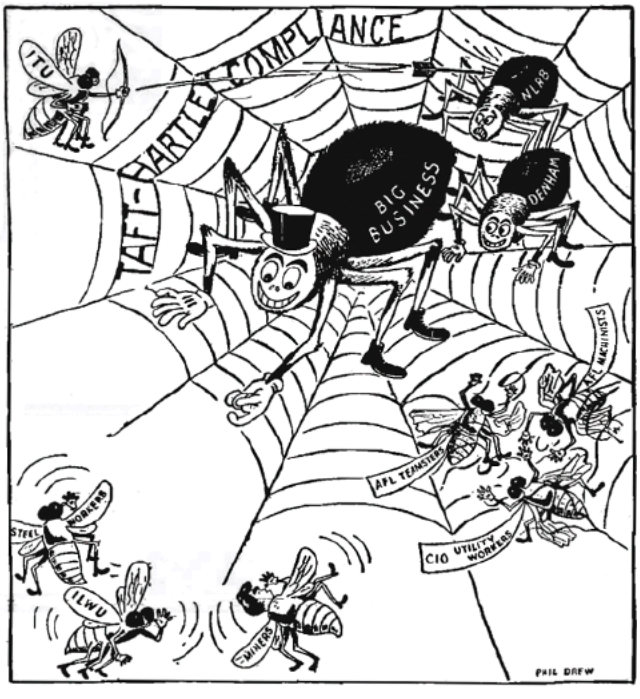
Some NLRB staffers fear that Robb is making it more difficult for them to scrutinize employers. In June he directed staffers to dramatically alter their investigative procedures. In some cases, bosses can now preview recordings that could be used as evidence and be present when former supervisors testify against them. NLRB spokesperson Edwin Egee told *The Nation* and Type Investigations that the "dissemination of information during the investigation" enables the agency to "more fairly enforce the [National Labor Relations Act]" and "aid settlement efforts." But labor advocates say the measures discourage whistleblowers and compromise the integrity of cases.

"It's breathtaking how many areas of the law, how many precedents they've managed to overturn."
—Wilma Liebman, former chair, NLRB

The NLRB's rightward shift under Trump has deterred some unions from taking cases to the agency. A current NLRB staff member, who requested anonymity to avoid retaliation, said she has observed unions opting to settle to avoid triggering an unfavorable ruling. Unions, she said, "are just less likely to turn to us because they… don't want to create bad law."

Several graduate student employee unions, including at Boston College, withdrew their cases in 2018 to prevent the board from overturning the Obama-era precedent that supported the collective bargaining rights of graduate workers at private institutions. "We pulled our petition to protect the rights of graduate student workers at private universities nationwide," said Sam Levinson, a Boston College graduate student worker, in an e-mail. "The current NLRB has consistently chipped away at the collective bargaining rights for which the labor movement has fought for decades. We decided to organize and build power, instead of allowing Boston College to put the fate of our rights into the hands of Trump and his appointees."

Even though the petition was dropped, the board initiated a rulemaking process last September to strip collective bargaining rights from graduate student



Dangerous web: A 1947 cartoon shows unions trapped in a web labeled "Taft-Hartley compliance." A spider marked "NLRB" sits at the top.

PHIL DREW / *THE DISPATCHER*

employees—another attempt to change policy through an administrative rule change rather than case law.

Inner Turmoil

For career staffers who joined the NLRB to help enforce the rights of workers, the Trump board has been demoralizing. "There's a host of decisions that have come out that are destructive of workers' rights, and it's an extremely sad time to be at this agency and work here," said a second NLRB staff member, who also requested anonymity. "The only hope is that [the administration] will turn before too much damage is done."

In early 2018, according to *Bloomberg Law*, Robb floated a proposal to centralize case-handling authority under officials who report directly to him. The NLRB's 26 regional directors protested, calling the move a unilateral concentration of authority by a Trump appointee. And Senator Patty Murray (D-Wa.) and Representative Rosa DeLauro (D-Conn.) sent a letter expressing concern. At the time, an NLRB spokesperson told *Bloomberg Law* that "no plan involving the restructuring of our Regional Offices system has been developed." Facing congressional scrutiny and a backlash from staff, Robb seemingly shelved the idea.

But in August he appeared to have revived his consolidation efforts with a plan to combine case handling across several branches in Los Angeles, Seattle, San Francisco, Oakland, Denver, and Phoenix. Democrats in Congress criticized the proposal as a backdoor attempt to undercut the regional directors. Egee said the plan did not constitute a reorganization of the local offices and was merely a "resource sharing" initiative intended to "address chronic workload imbalances" between regions.

In 2018, Robb antagonized staffers with a memo recommending dozens of ways to speed up investigations. Although Egee said the guidance was drawn "directly from NLRB employees," the NLRB Union, which represents workers in the regional offices, responded by arguing that it will "result in a reduction in quality, not an improvement."

Staffers say they are under pressure to process cases quickly, prioritizing efficiency above all else. Meanwhile, the workforce has shrunk. While the number of field staffers has been decreasing since 2011, Robb exacerbated that trend by offering buyouts and early retirement incentives to eligible employees, according to the NLRB Union. The result, it said, has been a more than 20 percent reduction in staffing since fiscal year 2017—from more than 900 to about 717 full-time equivalents as of June 30. (Egee cited different statistics, stating that the total number of employees has declined less than 4 percent since fiscal year 2018.)

Industrial unrest: Anti-union vigilantes attack striking workers in Ambridge, Pa., in 1933. The NLRB was designed to reduce the number of labor actions.

UNIVERSAL HISTORY ARCHIVE / UNIVERSAL IMAGES GROUP VIA GETTY IMAGES

"A lot of people... think that the board is there to protect them. It's obvious with their decisions that they're no longer a friend of the working man and woman."

—Rob Atkinson, former UPS driver

During fiscal year 2019, according to the NLRB's annual performance report, the processing time from initial filing to judgment for unfair-labor-practice cases fell from 90 to 74 days. Yet the agency's funding has shrunk by an inflation-adjusted 15 percent since fiscal year 2011, according to the NLRB Union.

A third NLRB field staffer said being asked to work faster with fewer resources feels like an attack on the agency. "If you are trying to [end] the administrative state and you want to get rid of the agencies you like the least—ours is probably one of them—then this is what you do. You really starve the staff, and you decrease morale."

Some NLRB employees have left the agency on principle, according to another current staff member. "It is really tough when you believe in Section 7 rights and you have to write [a legal rationale] that you believe is eroding them," the person said, noting that the NLRB was losing both experienced senior staffers and talented younger lawyers. "We've had some incredibly bright attorneys hired in the last five or so years who are jumping ship…. They're still in labor law. They're still in the fight. But they're not going to fight from within the board."

The agency's two staff unions—the NLRB Union and the NLRB Professional Association, which represents employees at the headquarters—have been waging a modest resistance. They have accused the board of understaffing the agency, refusing to bargain in good faith over the Professional Association's contract, and letting millions of dollars in the agency's budget go unspent. (The board has disputed the allegations and attributed the underspending to contracts that were not completed or came in under budget.)

Last November, the unions held a rally at the NLRB's Washington, D.C., headquarters and passed out leaflets reading, "NLRB Leadership is destroying the agency from within by refusing to spend funds to hire staff." They even brought Scabby the Rat to stand guard.

A Rank-and-File Struggle

As Trump's board whittles away labor rights, unions and workers increasingly see the legal bureaucracy of the NLRB as irrelevant or even antithetical to their efforts.

"A lot of people—the layman, the regular worker [or] union worker…they think that the board is there to protect them," said Rob Atkinson, a former UPS driver. But under the current administration, "it's obvious with their decisions that they're no longer a friend of the working man and woman. They're now a watchdog for the national Chamber of Commerce and Trump's buddies."

UPS fired Atkinson, a longtime Teamsters shop steward in western Pennsylvania, in 2014 for allegedly violating package delivery procedures. He filed two grievances, saying he was fired for his activism in a rank-and-file Teamsters movement, but he got no relief from what he said was a biased internal grievance panel.

Atkinson sought justice with the NLRB, and shortly before Trump took office, a lower-level judge found that his dismissal had been retaliatory, invoking an Obama-era ruling that said the board can override a grievance panel when considering certain violations of the National Labor Relations Act. But last December, the Trump-appointed majority on the board reversed that precedent, deciding that the grievance panel should have had the last word.

"My panel was made up of political enemies and people who wanted me gone," Atkinson said. But his struggle with his former employer "really opened my eyes and showed me how cold and callous big businesses are and how we really need huge, strong unions and a strong National Labor Relations Board…to hold these companies accountable."

In a statement, UPS said the board "recognized that an internal dispute resolution process can be relied upon to make fair and regular decisions on claims that might take years to resolve in other forums."

Atkinson is appealing his case in federal court. His experience turned him into something of an NLRB watchdog; he now runs a Facebook group that tracks cases and educates other workers about what Trump is doing to labor law. "Look what the NLRB is doing to our rights and how they've turned into an antagonistic organization to the average working man or woman instead of an organization that's there to uphold us," he told me.

The Covid-19 pandemic has led to fresh labor clashes: Meatpacking workers have walked off the job, nurses have protested nationwide demanding more protective gear, and Whole Foods workers have filed suit after being disciplined and fired for wearing Black Lives Matter masks and apparel. Yet the NLRB continues to make it harder for workers to organize.

In July the NLRB Union and other labor groups denounced the board's safety guidelines for resuming in-person union elections as inadequate and advocated a move to online or mail-in voting instead. At the same time, the NLRB's advice division, which provides legal guidance to regional offices, has issued memorandums that seem to give employers the green light to act unilaterally in response to the pandemic. One advisory suggests that an employer can refuse to bargain with a union over requests for pandemic-related "paid sick leave and hazard pay." The NLRB also indicated that a person can be fired after speaking out against a company's Covid-19 safety protocols.

Sharon Block, the director of Harvard Law School's Labor and Worklife Program and an NLRB member under Obama, said that during the pandemic, it was "incumbent on worker protection agencies like the [NLRB]…to be exceptionally vigilant on behalf of workers and attuned to violations of their rights, because it is so hard to feel secure enough to speak out. [But] this is a board that we watched operate for three years in a way that would not give that kind of security to workers."

Nonetheless, she added, the systemic problems with enforcing the National Labor Relations Act go beyond the Trump administration. "Even with board members… and a general counsel with the best of intentions who really believe in the spirit and the purpose of the act, it's just a tool that doesn't work anymore."

The Labor and Worklife Program wants to overhaul labor law and extend protections to domestic and undocumented workers. It also advocates for sectoral bargaining, which would enable workers in an industry to negotiate en masse.

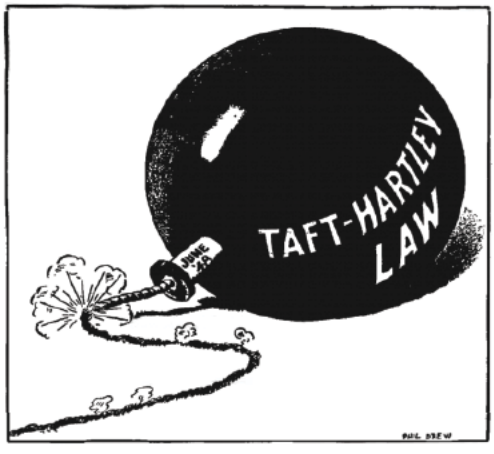
In the more immediate term, Democratic lawmakers are pushing the Protecting the Right to Organize Act, which would expand the rights of workers to strike and organize at work, institute meaningful penalties for bosses who violate labor law, and allow workers to sue employers in civil courts rather than be forced to rely solely on lengthy litigation at the NLRB.

Despite its limitations, workers continue to use Section 7 of the National Labor Relations Act, often to ward off campaigns to suppress organizing. Since April, Amazon workers belonging to the grassroots group Amazonians United in Chicago filed several unfair-labor-practice charges with the NLRB, alleging that they were unfairly disciplined by the company after staging walkouts and slowdowns to demand better health protections. Amazonians United member Ted Miin said he and his coworkers were reprimanded for allegedly violating social distancing guidelines at work, which he sees as retaliatory selective enforcement. (Amazon did not return a request for comment.)

Concerned that it might not be worth the effort, Miin was wary of filing a charge. But when the official probe began, the atmosphere at work changed. "Management has basically loosened up on us a lot at our warehouse since we've had active NLRB cases open," he said.

Miin knows his charges may lead to nothing. He acknowledged that "the Trump administration has been rewriting the NLRB rules to favor bosses over workers." But whatever form their resistance takes, he added, "as workers, we have to protect ourselves. No one's coming to save us…not the NLRB, not politicians, not reporters. As workers, we have to get organized ourselves." ■

This article was reported in partnership with Type Investigations, with support from the Puffin Foundation.



PHIL DREW / *THE DISPATCHER*

Ready to blow: A 1948 cartoon from a union newspaper warns of the explosive effects of the Taft-Hartley Act.

"This is a board that we watched operate... [and] not give that kind of security to workers."

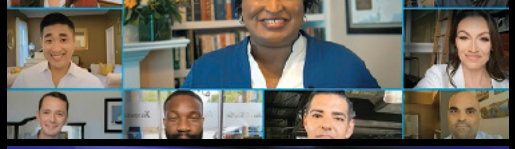
—Sharon Block, former NLRB member

A Short Bulletin From the RNC

ILLUSTRATION BY **CHRIS PIASCIK**

Meanwhile, at the DNC...






A Most Unconventional Democratic Convention



If the DNC's official roster centered on too many Republicans and white men, the Zoom family conversation did the opposite.

JOAN WALSH

I'll admit it: my expectations for the unconventional Democratic National Convention in mid-August couldn't have been lower if I'd stuffed them under the sofa with my spare change, dust bunnies, and the remnants of my dog's chew toys. While I was disappointed that Milwaukee, where I went to high school, missed its chance in the national spotlight, I was furious about the party's roster of featured speakers—one minute for Representative Alexandria Ocasio-Cortez but major platforms for former president Bill Clinton, former secretary of state (and losing 2004 nominee) John Kerry, and (really?) billionaire Michael Bloomberg, a great contributor to gun reform and environmental causes who is being sued by some of the national campaign staffers he lured with promises of long-term jobs, then laid off.

Oh, and all those Republicans (six!), from former Ohio governor John Kasich to Cindy McCain, the widow of Senator John McCain.

Sure, Senator Bernie Sanders got a featured spot, as did Senator Elizabeth Warren. The lions of the left got their spotlight. But the diversity of the party's new leadership, especially the class of 2018—from Ocasio-Cortez's "Squad" to Orange County Representative Katie Porter and, yes, those national security leaders Abigail Spanberger and Elaine Luria in Virginia and Mikie Sherrill in New Jersey, who won in swing districts—was barely in evidence. Convention organizers had so many great women to choose from and chose so few. Georgia's Stacey Abrams got shoehorned into a keynote with 16 other rising stars, though her star rose long ago. She deserved her own spot.

And yet those choices ultimately didn't matter much. The convention's format—the world's best-choreographed Zoom meeting—flattened distinctions between the big-time speakers and the ordinary Americans we met, creating an unexpected intimacy. My mind stays with Kristin Urquiza, who paid tribute to her father, a victim of Covid-19, noting "his only preexisting condition was trusting Donald Trump." And George Floyd's brothers, Philonise and Rodney Floyd, leading a moment of silence for the victims of violence. The convention's first night served as the national grieving ceremony we've all badly needed, suffering under a president who won't elevate and honor the more than 175,000 Americans lost to Covid or the ever-growing roster of police shooting victims because he lacks the empathy that would require. The Democratic convention gave us that national mourning, and for that alone, I was grateful.

But there was more. Never again should the delegate roll call be held in a stuffy arena; the tableau featuring Americans from our wide-open spaces must become a feature of every convention, even when (or if) we can band together again safely in throngs of tens of thousands. I thrilled to see our country that way, in all its beauty:

What I remember most about the convention: the acknowledgment of suffering and the commitment to righting the wrongs that got us here.

Biden tapped into a deep well of personal experience and grief, and that gave meaning and authenticity to his high-minded rhetoric.

It was a convention long on compassion that we're starved for but short on bold policy vision that we desperately need.

JOHN NICHOLS

It was a politically cautious and ideologically inhibited Democratic National Convention that nominated Joe Biden for the presidency in mid-August. A long and contentious primary campaign that featured the most crowded and diverse field of contenders in the party's history finished not with a bang but with a virtual meeting.

This was a convention of familiar ideas and limited debate. Instead of a bold vision for necessary change in the tradition of Franklin Roosevelt's "We have nothing to fear but fear itself," viewers were presented with nightly jeremiads from our times—as if we were not already aware of how bad things are in a moment of pandemic, mass unemployment, rising xenophobia, unaddressed structural racism, and climate crisis. Instead of giving America a taste of the new ideas energizing the Democratic Party at its grass roots, viewers were offered servings of political comfort food. The infomercial imprint was so complete that the biggest controversy involved a bizarre misreading of the whole point of a nominating convention—which is, of course, the gathering of supporters of distinct candidates and causes for the purpose of choosing a ticket capable of pulling together a grand coalition of, dare we say it, New Deal proportions.

Representative Alexandria Ocasio-Cortez, whose mass following and mastery of modern communication platforms would, in a more dynamic party, have secured her a keynote speaking slot, was given 96 seconds to perform the routine task of placing in nomination the party's second-place finisher: Senator Bernie Sanders.

Ocasio-Cortez highlighted the surge in progressive political activism that powered the Sanders campaign and that in 2018 helped her unseat the House's fourth-ranking Democrat in a party primary. She said she was speaking "in fidelity and gratitude to a mass people's movement working to establish 21st century social, economic, and human rights, including guaranteed health care, higher education, living wages, and labor rights for all people in the United States; a movement striving to recognize and repair the wounds of racial injustice, colonization, misogyny, and homophobia and to propose and build reimagined systems of immigration and foreign policy that turn away from the violence and xenophobia of our past; a movement that realizes the unsustainable brutality of an economy that rewards explosive inequalities of wealth for the few at the expense of long-term stability for the many and [that] organized a historic grassroots campaign to reclaim our democracy."

At a convention that needed an infusion of policy, especially progressive policy, Ocasio-Cortez should have been celebrated for using her minute and a half as she did. Instead, moments after her remarks, NBC News'

OPPOSITE PAGE, BOTTOM: WIN MCNAMEE / GETTY IMAGES

(JOAN WALSH CONTINUED)

Representative Terri Sewell announcing Alabama's delegate vote from the foot of the delicately illuminated Edmund Pettus Bridge (which should soon be renamed for the late hero John Lewis). Matthew Shepard's still grieving parents, 22 years later, keeping faith with their political activism, declaring Wyoming's delegate count. Gold Star father Khizr Khan, the standout speaker at the 2016 convention who was then attacked by Trump, doing the honors for Virginia.

And of course, some of the big speakers shined bright. I loved Hillary Clinton, her white-blond hair in a long, relaxed flip, the presidential helmet gone, sitting on her couch and telling us drolly, "Don't forget: Joe and Kamala can win by 3 million votes and still lose. Take it from me." She went on, "For four years, people have told me, 'I didn't realize how dangerous he was.' 'I wish I could do it all over.' Or worst, 'I should have voted.' Look, this can't be another woulda, coulda, shoulda election…. Most of all, no matter what, vote." Then she went back to bingeing Netflix. Or at least I hope she did.

Kamala Harris had the tough act of following Barack Obama, who, it was widely said, sometimes with opprobrium, gave the most slashing speech anyone can remember from a former president about his successor. It's about time. Harris did her own roll call, of Black feminist leaders many of us don't remember or never learned about—a tribute to the Black voters, most of them women, who made Joe Biden the Democratic nominee. I want to do them the honor of introducing them.

She began with Mary Church Terrell—a turn-of-the-(20th)-century suffragist, educator, and anti-lynching activist—and Mary McLeod Bethune, the founding president of the National Council of Negro Women, a longtime leader at the NAACP, and one of the only women at the establishment of the United Nations in 1945.

Harris moved on to the slightly better-known Fannie Lou Hamer, the Mississippi civil rights activist who went to Atlantic City in 1964 to try to get Mississippi Freedom Democratic Party delegates installed in place of the state's racist Democratic regulars. Her convention address, describing her beatings at the hands of police, so unnerved President Lyndon Johnson that he preempted it with a presidential news conference intended to distract the national media. Then came Diane Nash, the brilliant strategist and activist with the Student Nonviolent Coordinating Committee (SNCC), at the center of nearly every successful civil rights skirmish, from the Nashville lunch counter sit-ins to the Freedom Rides to the Selma marches.

Harris also honored Constance Baker Motley, a New York politician and activist who was the first Black woman appointed to the federal judiciary, and Shirley Chisholm, who was the first Black woman elected to Congress and ran for president in 1972. Harris showed us she knows whose shoulders she stands upon, and it was moving.

A couple of other Black women got mentioned from on high. Moderator Tracee Ellis Ross noted that Harris isn't the first Black vice presidential nominee in US history: The journalist Charlotta Bass ran on the Progressive Party's ticket in 1952. And it was left to Biden to summon the spirit of Ella Baker, the mother of the movement back in the day, who protected the young people in SNCC and elsewhere and helped them avoid getting seduced by the powerful—even when that meant disagreeing with the Rev. Martin Luther King Jr.

The convention's format flattened distinctions between the big-time speakers and the ordinary Americans we met.

"Ella Baker, a giant of the civil rights movement, left us with this wisdom: 'Give people light, and they will find a way,'" Biden said. "'Give people light.' Those are words for our time." They are—and those words made me more hopeful about his presidency than the thousands of words that came after. Of course, 13-year-old Brayden Harrington's testimony about how Biden helped him with his stutter might be the most memorable thing we learned about the candidate, and I guarantee it would not have come off nearly as well in a big convention hall. The entire Biden presentation centered on the many losses he has survived—not just of his wife and baby daughter almost 50 years ago but also of his beloved son Beau Biden in 2015. Joe Biden has come to seem the man for this anxious moment.

In the end, that's what I remember about the week: the acknowledgment of widespread suffering and the commitment to comforting the victims and righting the wrongs that got us here. If the official roster centered too many old white men, the Zoom family conversation was quite the opposite. And so was the musical programming. From the first night alone, the montage of images that went along with Bruce Springsteen's "The Rising" featured stirring images of Black Lives Matter protests, as did Billy Porter's duet with Stephen Stills on the iconic protest song "For What It's Worth." This wasn't programming designed for swing district Republicans or even Cindy McCain; it focused directly on the broken places in our society and also where healing is starting to take place.

So, yes, I wound up happy with the weeklong Democratic Zoom meeting, however tedious at times. Something subversive happened: The people broke through.

As did the poet Seamus Heaney. That "hope and history rhyme" line that Biden quoted shows up often, and the extended passage from Heaney's play *The Cure at Troy* is worth referring to, especially at a time like this:

Human beings suffer,
They torture one another,
They get hurt and get hard.
No poem or play or song
Can fully right a wrong
Inflicted and endured.

The innocent in gaols
Beat on their bars together.
A hunger-striker's father
Stands in the graveyard dumb.
The police widow in veils
Faints at the funeral home.

History says, *Don't hope*
On this side of the grave.
But then, once in a lifetime
The longed-for tidal wave
Of justice can rise up,
And hope and history rhyme.
So hope for a great sea-change
On the far side of revenge.
Believe that a further shore
Is reachable from here.
Believe in miracles
And cures and healing wells.

Call miracle self-healing:
The utter, self-revealing
Double-take of feeling.
If there's fire on the mountain
Or lightning and storm
And a god speaks from the sky

That means someone is hearing
The outcry and the birth-cry
Of new life at its term.

It's hard to believe a 77-year-old mostly centrist Democrat is going to deliver us new life, but this convention made me optimistic that the party's new life, coming from everywhere, cannot be thwarted. ■

(JOHN NICHOLS CONTINUED)

official account tweeted, "In one of the shortest speeches of the DNC, Rep. Ocasio-Cortez did not endorse Joe Biden." A firestorm ensued, with her as the target. It took more than three hours for NBC to acknowledge its mistake, delete the offending statement, and admit that it "should have included more detail on the nominating process."

That was an apt metaphor for the four-day parade of tightly scripted two-hour sessions that were long on personality and short on policy and procedure. This was not a Democratic National Convention so much as a "Biden for president" advertorial. On many levels, it worked. The candidate gave the best speech of his 50 years in politics. Reaching back to his roots as an East Coast Irish Catholic politician who came up in the age of the Kennedys—he writes in his autobiography that he "got the idea" for a career in public service from John Kennedy's 1960 campaign—Biden delivered an acceptance speech that spoke to the hearts of Democrats and even quoted a philosopher (Søren Kierkegaard) and a poet (Seamus Heaney). Just as JFK did. Just as Robert Kennedy did, even more frequently and even more powerfully, after the assassination of his brother.

Like RFK, Biden tapped into a deep well of personal experience and grief, and that gave meaning and authenticity to his high-minded rhetoric. Yet his was not an agenda-setting speech. Its core message, like that of the convention, was that Biden is a good guy and Donald Trump is not. Biden delivered it well, but Barack Obama, Michelle Obama, and Bernie Sanders did an even better job of speaking to the existential threat of a second Trump term. It was striking to see a former president standing in front of an image of the Constitution as he asserted, "This administration has shown it will tear our democracy down if that's what it takes to win." It was chilling to hear Sanders, the son of a Jewish immigrant from Galicia, tell viewers, "Under this administration, authoritarianism has taken root in our country. I and my family and many of yours know the insidious way authoritarianism destroys democracy, decency, and humanity."

No honest observer would begrudge Democrats the time they devoted to outlining the danger posed by the current president and his partisan allies in the stark terms employed by Arizonan Kristin Urquiza, the daughter of a Covid-19 victim who had put his faith in the president's counsel about reopening in the face of a continuing pandemic. "My dad was a healthy 65-year-old. His only preexisting condition was trusting Donald Trump—and for that, he paid with his life," she said. Urquiza's short address was riveting, as was vice presidential nominee Kamala Harris's indictment of not just the Trump administration's failed response to the crisis but also its failed response to historical injustice, noting in her acceptance speech, "While this virus touches us all, let's be honest, it is not an equal opportunity offender. Black, Latino, and Indigenous people are suffering and dying disproportionately. This is not a coincidence. It is the effect of structural racism." Of all the words that have been said about the pandemic, few ring truer than the California senator's assertion that "this virus has no eyes, and yet it knows exactly how we see each other—and how we treat each other."

This willful avoidance of internal debate has never done the Democrats any good. And it was doubly embarrassing at this year's convention.

To the extent that this convention set out to make a case for why Trump must be rejected, it succeeded. It also succeeded in framing the arguments for moving beyond Trumpism, with sincere reflections by Biden, Harris, and other speakers on the racist and xenophobic politics to which the Republican Party barters off its birthright when it embraces the president's agenda.

What was missing was the sense of what comes after Trump. The convention planners proved able diagnosticians. They recognized the horrors of the moment, producing poignant videos commemorating the Covid-19 dead, answering the climate wake-up call, and showing 11-year-old Estela Juarez writing to Trump about how his brutal immigration policies had torn her family apart.

But without the crowds of contentious delegates caucusing and organizing protests, without the cheers and the signs and the sense of urgency that come with an in-person gathering, there was little pressure to go deep when discussing ways out of the "historic crises… the perfect storm" that Biden described in his acceptance speech. Was it really necessary to have former surgeon general Vivek Murthy devote half of his two minutes on the national stage to the telling of another story of Biden's decency? Wouldn't his time have been better spent outlining specifics for how to renew the status and strength of the Centers for Disease Control and Prevention to combat Covid-19 and pandemics yet to come? Couldn't Congressional Progressive Caucus cochair Pramila Jayapal have been invited to make the case for why a single-payer health care system like Medicare for All is the right response to a crisis in which millions of people have lost their jobs and their health insurance? Couldn't Representatives Ro Khanna and Tim Ryan have taken a few minutes to explain how their plan to provide Americans with a monthly $2,000 stimulus check would save the economy? Couldn't Representative Ilhan Omar have spoken from Minneapolis about the killing of George Floyd, ending police violence, and the fight against systemic racism? Couldn't the Sunrise Movement's Varshini Prakash have been permitted a few minutes to describe the Green New Deal? Couldn't Andrew Yang have ditched the laudatory remarks about Biden and Harris and expounded on a universal basic income?

It's true that these leaders would have taken bolder positions than those espoused so far by Biden or the party's platform. It's also true that both parties have devoted themselves over the past several decades to ridding their conventions of unwanted drama. But this willful avoidance of internal debate has never done the Democrats any good. And it was doubly embarrassing at this year's convention, where the party found plenty of time for renegade Republicans like former Ohio governor John Kasich but far too little time for the rising generation of progressives who have recognized the call for a bolder politics—one that reaches out to young people and to all of the disenchanted and discouraged potential voters that Democrats need to gain a mandate in November. Opening up the discourse and welcoming honest and aspirational debate does not weaken a party. In one of the most inspiring addresses to the 2020 convention, health care activist Ady Barkan moved listeners to tears when he spoke of those who are always "demanding more of our representatives and our democracy." Such people do not divide or diminish the party. Rather, they strengthen its appeal by suggesting that another politics—and another world—really could be possible. ■

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Books & the Arts

STEPS ON THE COLUMBIA UNIVERSITY CAMPUS, 2020 (ALEXI ROSENFELD / GETTY IMAGES)

HOUSE OF CARDS

Can the American university be saved?

by DANIEL BESSNER

The Covid-19 pandemic has revealed the glaring contradictions in American higher education. State research universities are preparing to decrease services in light of anticipated budget shortfalls as small liberal arts colleges teeter on the brink of financial ruin. Meanwhile, Ivy League and other rich universities have refused to dip into their massive endowments and have instead chosen to pursue austerity while increasing tuition—and increasing debt—for their students.

Across the country, universities are canceling classes and furloughing workers, leaving thousands stranded without income. Though some schools have lengthened the tenure timelines of assistant professors, the majority have refused to extend a similar courtesy to graduate students. Staff members and adjuncts have likewise been abandoned—forced to work fewer hours or unceremoniously let go. The situation is likely to get worse as students refuse to shell out tens of thousands of dollars to take subpar online courses while sitting in their living rooms. Without exaggeration, American higher education may be on the verge of a total breakdown.

To those who labor in universities, the precarious condition in which academia finds itself is no surprise. For years, the university system has been operating on borrowed time. Beginning in the 1980s, college administrators, often employing high-fee consultants, hollowed out the academic workforce, replacing full-time jobs with contingent positions that were poorly paid and benefited. At the same time, exploding tuition costs obliged students to take out enormous loans that compelled them to view higher education primarily as a precursor to employment—employment that, as the economy worsened, was rarely guaranteed. This house of cards, built on exploitation, anti-intellectualism, and massive debt, was doomed to collapse.

In the past decade and a half, many people involved in the system have begun to do something about it. Undergraduate students have formed organizations that challenge their teachers' poor working conditions, graduate workers and adjuncts have unionized and demanded respect and compensation for their labor, and even tenure-track and tenured professors have started to unionize and

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recognize their contingent peers as colleagues. Throughout the United States, there is a dawning awareness that saving the university requires cross-occupation solidarity, in which people working at various jobs in the academy come together to demand transformation.

Yet in the face of administrator intransigence (the failure to recognize graduate unions, improve salaries and benefits, and abandon contingent labor), the situation remains dire.

The crisis of American higher education is central to two recent books that link the diminishment of universities to the pathologies of contemporary capitalism. *The Gig Academy*, by Adrianna Kezar, Tom DePaola, and Daniel T. Scott, documents how the neoliberal obsession with cost cutting and disinterest in labor rights has crept into the university, engendering the rise of a generation of precariously employed scholars teaching undergraduates burdened with titanic debt. Tracing the decline of stable university jobs, the authors insist that only radical, collective action can rescue American higher education. More than reform, they assert, what the university—and, in fact, the economy as a whole—needs is to be revolutionized.

In *The Meritocracy Trap*, Daniel Markovits approaches the crisis from a liberal perspective and thus offers a different set of conclusions. Instead of focusing on those who labor in universities, he highlights how the ideology of meritocratic capitalism (a system in which talent and achievement, as opposed to connections and blood ties, are supposed to lead to material benefits) has transformed the most selective colleges into the primary sites of elite reproduction. For Markovits, the crisis of higher education consists of the elite university's role in fostering inequality between the rich and the rest—a role, he insists, that will change only if meritocratic ideology is transcended. Although he emphasizes cultural more than material reform, his analysis suggests that the deliverance of US higher education depends on directly attacking the source of its problems: capitalism.

The Gig Academy

Mapping Labor in the Neoliberal University
By Adrianna Kezar, Tom DePaola, and Daniel T. Scott
Johns Hopkins University Press. 264 pp. $32.95

The Meritocracy Trap

How America's Foundational Myth Feeds Inequality, Dismantles the Middle Class, and Devours the Elite
By Daniel Markovits
Penguin Press. 448 pp. $30

The Gig Academy is a wonderful précis on the dire state of the modern American university. According to its authors (a tenured professor at the University of Southern California and two of her graduate students), the central cause of its demise is the combination of cutbacks and corporatization. University administrators seeking to reduce costs have replaced secure jobs with "a cheap and deprofessionalized workforce…employed on a part-time, temporary, or contingent basis." In the process, they have taken power away from faculty members, who historically have put up little fight to defend their prerogatives. Gone are the days when one could make a stable living as a professor or a university staff member. In 2020 the lives of those who labor at American colleges are defined by a "pervasive insecurity" that makes it difficult for them to contribute to higher education's two chief missions: to educate students and to produce original research.

To make their case, Kezar, DePaola, and Scott point to the fact that nearly 75 percent of college instructors in the United States are contingent, non-tenure-track, or graduate students. Despite working dozens of hours a week and teaching an unconscionable number of classes (often at different schools), many faculty members "lack a living wage, benefits, pension, long-term contract, paths for career advancement, involvement in [university] governance, [and] protection[s] of academic freedom." At non-unionized universities, which is to say most of them, the median pay for contingent faculty is $2,475 per course. A contingent faculty member would therefore have to teach an impossible 19 courses a year to earn $47,025, the median estimated income for a full-time American worker in 2018. Unsurprisingly, one analysis found that about 25 percent of contingent faculty members receive some form of government assistance.

Beyond the atrocious pay, contingent faculty members labor in awful conditions. University administrators hire around one-third of non-tenure-track faculty at the last minute, providing them with little time to prepare for class or organize their research and personal lives. Contingent faculty members are also regularly dismissed within days of a new semester's start, which makes it incredibly challenging to find other courses to teach. Adjunct precarity has only gotten worse with the Covid-19 pandemic: In May, for instance, a memo from the City University of New York's John Jay College revealed that the college intended to lay off 450 contingent professors. Furthermore, Kezar, DePaola, and Scott show that administrators regularly ask contingent faculty to do unpaid labor as bureaucrats or mentors. The workers usually accede to these requests because they feel it is their ethical duty and because they hope it will enable them to obtain a full-time position.

While tenured faculty members often traffic in meritocratic myths about their institutions' just rewarding of the best and the brightest, what Kezar, DePaola, and Scott hammer home is how much of an aristocracy the modern university has become. In this, higher education mirrors other sectors of the broader gig economy. Only a small minority of professors receive the storied benefits of the *vita contemplativa*: control over one's work life, light teaching loads, research support, a significant amount of vacation time, and an upper-middle-class salary. The rest put in long hours, laboring in poor conditions with little chance to earn a middle-class income.

Perversely, the gig academy's never-ending supply of cheap labor has improved the lives of the few remaining tenured professors. As Kezar, DePaola, and Scott highlight, "faculty who are fortunate enough to work free of contingency are increasingly insulated from responsibilities thought to be central to the job of a professor, including teaching, advisement, assessment, grading, and course design." Perhaps the most grotesque embodiment of the current academic caste system is the contingent researcher, a scholar whom wealthy tenured faculty members employ to conduct "the rudimentary work of actual research."

The execrable conditions of the gig academy exert a disciplining effect on contingent faculty members, who are understandably wary of criticizing their institutions or teaching their students controversial subjects, for fear of blowback. And of course, very few have time to pursue research in their fields or write for general audiences, which is an enormous loss to their disciplines and the public as a whole. In the contemporary United States, one of the richest countries in world history, scholars whose work might have cured cancer or transformed our understanding of racial inequality are instead compelled to spend their time grubbing for scraps.

Predictably, the gig academy's rise has been accompanied by a decline in student achievement. "Learning is social," the authors rightly declare, but the university that

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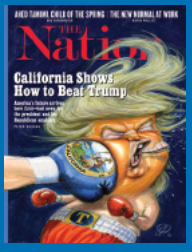

has emerged in the past three decades does everything in its power to weaken the bonds that connect scholars and university staff members with students. Atomized, exhausted, and precarious faculty and staff simply cannot engage with students in meaningful ways. As Kezar, DePaola, and Scott underline, "Gig Academy employment conditions are negatively associated with [student] persistence, retention, graduation, academic performance, transfer from two-year to four-year institutions, early-college experiences, and high-quality faculty-student interactions." In the gig academy, everyone—including students—suffers.

How did this happen? How did the neoliberal logics of cost cutting, corporatization, and contingency infect US higher education? There are many causes of this transformation—decreased government support, the mass entrance of racial minorities and women into colleges, the collapse of American unions—but Kezar, DePaola, and Scott point to an obvious and important one: the ascent of an administrative class that has taken over universities. In 1990, "there were at least three [full-time] faculty and staff for every [university] administrator"; by 2012, "this figure had declined" precipitously. Instead of building communities that promoted teaching and research, universities instituted a new regime of top-heavy administration. Buoyed by the neoliberal insistence that all organizations must abide by corporatist and consumerist principles, administrators cut costs, increased tuition, and reallocated funds to amenities like fancy gyms and dining halls to better their university's ranking in *U.S. News & World Report*. In the gig academy, a business ethic, in which managers insist that the university's purpose is to increase revenue and improve the customer (i.e., student) experience, came to dominate.

Kezar, DePaola, and Scott's book is primarily diagnostic: It seeks to elucidate the dreadful working conditions of one peculiar industry. But the authors also offer a solution to the gig academy's problems: Like workers in all sectors, professors and other university laborers must concentrate their power. Indeed, in the last 15 years, college campuses have witnessed a rise in contingent and graduate student unionization, with unions forming at the University of Chicago, Columbia, Yale, and other schools.

Unfortunately, tenure-track and tenured faculty members have often remained aloof from these struggles; occasionally, they have actively opposed them. Throughout the country, innumerable faculty members have crossed picket lines or graded papers while graduate students were on strike. At many universities—including mine—the permanent faculty members have rejected unionization efforts. As this suggests, much remains to be done to persuade those with stable jobs that they share interests with their contingent colleagues. But if tenure-track and tenured faculty members remain disconnected from the fight for labor rights, it's likely only a matter of time before their own jobs are put on the chopping block.

Kezar, DePaola, and Scott deftly show that the conditions of the gig academy reflect those of the broader gig economy, which may make it possible to organize successfully across industries. Most workers in the contemporary United States, from the contingent professor to the Amazon warehouse stocker to the Uber driver, live similarly precarious lives. For this reason, contingent academic laborers and their tenured allies must think seriously about organizing cross-industrial groups that take on capitalism itself. Even if university workers succeed in revolutionizing higher education, this success would be short-lived if the American political economy remained unchanged. The system as a whole must be transformed.

One of the most important underpinnings of the gig academy—and one of the reasons so many tenure-track and tenured faculty members ignore their precarious colleagues—is the underlying myth that the university system rewards merit and not accidents of birth. The belief that a scholar rises and falls based solely on her or his talents is the primary intellectual justification for academic inequality. In *The Meritocracy Trap*, Yale Law School professor Daniel Markovits attacks meritocratic myths like this one head-on. Meritocracy, he argues, is a false ideology that has torn society asunder and created a "caste hierarchy that simultaneously excludes most people and damages the few that it admits."

To tell his story, Markovits explores how the material realities of contemporary capitalism and the ideology of meritocracy reinforce each other. He maintains that in today's economy, meritocracy is not only a mirage—most people don't rise because of merit—but also the primary contributor to "the concentration and dynastic transmission of wealth and privilege across generations." He argues that the major way to succeed in the present political economy, which depends on highly skilled labor, is to participate in expensive educational training. But only the rich have the resources to send their children to the exclusive schools upon which admission to Harvard and Yale often relies. As a result, from the beginning of their lives the nonwealthy are excluded from the foremost mechanism of meritocratic success. Moreover, once affluent scions graduate from an elite college, they are usually able to move into careers (law, medicine, consulting, and banking) that provide them with the funds needed to guarantee that their children are educated as they were. Meritocracy, which was initially envisioned as a means to collapse social barriers, thus engenders an impenetrable aristocracy.

Markovits further notes that in a highly skilled meritocratic economy, much of the labor traditionally undertaken by the middle and working classes becomes redundant. Technologies recently invented and promoted by meritocrats—computers, robotics, the Internet, novel methods of administration, sophisticated financial techniques, and so forth—dispense with the need for medium- and low-skilled labor, creating widespread unemployment and underemployment. To add insult to injury, meritocrats declare that this joblessness is not the result of peculiar economic structures and decisions; rather, they insist it is the collective fault of those who failed, because they simply lacked the industry and talent required to succeed. By means of this reasoning, meritocratic inequality justifies itself.

Markovits also argues that it's not only the middle and working classes that suffer prodigiously under meritocracy: the wealthy do so as well. As children, meritocrats in training are forced by their ever-anxious parents through an educational meat grinder, in which hours of homework a night is common and everyone is gunning for her or his spot at Harvard. Tragically, the "reward" for the lucky few who graduate from a prestigious university is more of the same: a work life defined by incessant, arduous, and soulless labor at a bank, law firm, or consulting agency, where mature meritocrats devote themselves to protecting the interests of the Jeffrey Epsteins of the world.

In Markovits's telling, meritocrats comprise a "superordinate working class" that derives its wealth from labor, not capi-

tal. And similar to all working classes, this superordinate working class is alienated. According to Markovits, meritocratic elites' alienation is a function of the fact that, under meritocratic capitalism, people are merely means to produce rents. For this reason, "the superordinate worker must comprehend herself in instrumental terms" and "must act, in effect, as an asset manager whose portfolio contains her own person." From childhood onward, meritocrats in training obsess over accumulating human capital—the specialized skills needed to thrive in the present economy. Foreseeably, this all-consuming quest damages meritocrats' mental health. To cite just one statistic, Markovits reports that "students at wealthy high schools…suffer clinically significant depression and anxiety at rates double or triple the national average."

Meritocratic distress is bolstered by the reality that it's relatively easy for would-be meritocrats to tumble down the class hierarchy. Harvard and Goldman Sachs, after all, have only so many spots. In the meritocratic economy the working, middle, and upper classes share a general experience of precarity that makes it impossible to live a fulfilled life.

The present system, in other words, works for no one, and Markovits insists that it must be transformed. Unfortunately, his suggestions for how to do so offer a compelling display of liberalism's limits. Unlike Kezar, DePaola, and Scott, who advocate for collective action that seeks to remake the structures of an industry (and then, perhaps, the whole economy), Markovits embraces a narrower, more elitist program: He argues that to destroy meritocracy, anti-meritocrats must educate Americans from all social classes about its negative effects. This, he continues, will engender "political understanding" among the classes, which will encourage the rich and the rest to form coalitions devoted to overcoming "meritocracy's burdens."

Markovits's solution demonstrates a rather naive and sanguine view of political change, one that ignores the struggles that have actually enabled subaltern groups to force social transformation. From the labor agitation of the fin de siècle to the civil rights movement to the battle for women's and LGBTQ equality, elites have surrendered privileges not because the oppressed won an argument but because they were compelled to do so. To end meritocracy, we need collective action geared toward seizing power. The rich won't alter their behavior or relinquish their authority out of the goodness of their hearts or because they attended a few anti-meritocracy seminars.

The wealthy, in fact, have long recognized the working and middle classes as their enemies; now the working and middle classes must identify the wealthy as theirs. As Markovits himself notes, the richest Americans have for decades employed lobbyists and influenced politicians to ensure that "law and policy respond sensitively to [their] preferences while remaining almost totally unresponsive to the preferences of everyone else." There is a class war, and it is being waged—and won—by the rich. Only a countervailing force, consisting of working- and middle-class laborers who know their enemy, can reverse the staggering inequality that defines contemporary American life.

Markovits rejects class war because, like many liberals, he accepts the legitimacy of social stratification. As he says, "It is one thing for a person to be confined to his birth rank in a narrowly compressed economic distribution, in which the classes lead materially and socially similar lives." A problem emerges only when people are confined to their birth rank "in a widely dispersed society, in which even adjacent [class] ranks experience material and social conditions that render their lives mutually unrecognizable." Markovits doesn't want to move past capitalism; instead, he desires to return to its pre-meritocratic, midcentury "golden age."

The problem, of course, is that for many Americans, the golden age wasn't all that golden. To take the starkest example, throughout the mid-20th century, Black Americans were far poorer than their white counterparts; in 1966, for instance, nearly one-third of indigent Americans were Black. And though it is true that at midcentury the United States was a more equal society than it is today, this equality was substantially undergirded by Cold War militarism. For example, the 1958 National Defense Education Act, which drastically increased the federal government's support for higher education (and which thus aided class mobility), was passed only because of fears of the Soviet Union's perceived technological advantage after the launch of its Sputnik satellite.

If Markovits had dug a bit deeper into the history of the "golden age" to which he wants us to return, he would see that the so-called equality the United States achieved was never experienced equally and was partly a function of militaristic pressures. Moreover, the progress the country did make in moving toward racial, gender, and sexual equality was attained only through political struggle. Put simply, we shouldn't want to return to an era plagued with its own inequalities. Instead of falling into a counterproductive nostalgia trap, we must dedicate ourselves to revolutionizing contemporary capitalism—a system that necessarily concentrates wealth in a small number of groups. To do so will require far more than a few anti-meritocratic self-criticism sessions.

Duck & Groundcover

Meadows petaled turquoise.
They shiver like glacial lakes
Even when the sun shines.
A duck could be forgiven,
Then, the lack of grace
In a dry landing. The *oooffff*
We each to Heaven send
At every bounce, a plea:
How about a little mercy,
For ducks' sake? What the duck
Must think the moment the lake
Reveals itself a field of blue
Flowers & a few sharp stones—.
O God, where did I go wrong—

JAY HOPLER

Together, *The Gig Academy* and *The Meritocracy Trap* paint a dire portrait of higher education. In the former, Kezar, DePaola, and Scott reveal that the modern university is a site of extreme exploitation, in which the majority of workers, like many of their counterparts in the broader gig economy, live undignified lives. In the latter, Markovits demonstrates that the nation's top colleges exist primarily to reproduce a miserable aristocracy. It's clear that in 2020, universities have imbibed the worst elements of contemporary capitalism and in the process have deemphasized teaching and research.

American students, suffering under enormous debt, have recognized that college is not about learning. Many of them, Markovits notes, "approach their schooling with a compulsive fixation on the competition that they are in and the prizes that they seek." My experience as a professor confirms this. At the beginning of each of my courses, I ask students why they attend college. For years, I have received the same answer: to get a job. It's therefore unsurprising that grade inflation and grade grubbing have become rampant; in a winner-take-all economy, people must distinguish themselves lest they fall down the class hierarchy. Modern universities, ideally places where people explore new ideas and take intellectual risks, instead function as the finishing schools for the future workers of America. In this environment, it's not a shock that the humanities, formerly a centerpiece of university education, have been shunted aside in favor of science, technology, engineering, and math—the fields that best prepare indebted and desperate young people for a meritocratic economy designed to reward their wealthy peers.

Humanistic thinking can't and won't survive in a world in which students—and their parents—must view college in instrumental terms. The facts on the ground demonstrate this. My field, history, has recently witnessed a dramatic drop in majors. As the American Historical Association has reported, "of all the major disciplines, history has seen the steepest declines in the number of bachelor's degrees awarded" since the Great Recession. The English major is in a similar free fall, experiencing a decline of 25.5 percent in the same period. It's easy to imagine a world in which universities stop teaching these and other subjects that don't result in immediate pecuniary benefits. Recent events in Australia, where the conservative government has announced that it will charge students pursuing degrees in the humanities more than what it charges those pursuing more "practical" degrees, suggests this might occur sooner rather than later.

The major crises of the contemporary American academy—increasing debt, administrative overreach, the casualization of labor, the instrumentalization of knowledge, the collapse of the humanities, and the growing reliance on anti-union consultancies and law firms—emerge from a broken system that overrewards the few at the expense of the many. These crises are fundamentally tied to the political economy and will not be solved by confining agitation to the university. Only an extra-university movement, connected to other anti-capitalist movements and dedicated to reallocating power to workers, can save higher education and those who have devoted their lives to it. Absent such activism, the American university will remain a site of exploitation and anxiety in which no one's genuine interests—to learn, to earn a living, to discover new things—are truly met. As we head into the fall semester, in which the coronavirus will inevitably endanger the lives of professors, university staff members, and students, building the solidarity upon which the transformation of higher education relies remains as important as ever. ■

CHINESE LABORERS AT WORK ON A RAILROAD LINE IN THE SIERRA NEVADA, 1877 (BETTMANN / GETTY)

THE FORKING PATHS

C Pam Zhang's reenvisioned western

by LARISSA PHAM

Six hundred and ninety miles of the Transcontinental Railroad were laid by Chinese immigrants. Many of them were drawn to California by the gold rush of the late 1840s, but a scant decade later, the land had been depleted of riches, and they arrived instead to encounter unfriendly locals who distrusted foreign faces. The construction of the Central Pacific Railroad, the segment of the Transcontinental Railroad that stretched from Sacramento to Utah's Promontory Summit, began in 1863, and white foremen quickly recruited Chinese immigrants looking for work to do the most physically demanding labor, compensating them at a fraction of the pay that whites received. By 1867, Chinese immigrants made up about 90 percent of the Central Pacific's labor force. Historians estimate that at least 1,200 died in the construction of the railroad—approximately two Chinese men for every mile of track they laid.

Set in this historical landscape, C Pam Zhang's debut novel, *How Much of These Hills Is Gold*, tells the soaring saga of two siblings trying to find their place in the world. It's XX62 when the book begins, the redacted numerals hinting at a slightly alternative universe, and 12-year-old Lucy and 11-year-old Sam are setting off to bury their father, Ba. An alcoholic and a gambler, a harsh, impulsive man prone to fits of violence and, less frequently, of tenderness, he has died perhaps of exhaustion, perhaps of alcoholism—either way, leaving his children without money or a home. We learn that Ma, their mother, died three and a half years earlier. The two orphaned and penniless children set out from their town, beginning a quest in which both, in their different ways, hope to find a place to belong.

Zhang's novel recalls our own world—or rather, our history—in certain ways, yet with dashes of magical realism. One thing that remains in her reimagined American West is the racism, shaping every aspect of Sam and Lucy's experience of the world. At each turn in their journey, the two face odd looks from strangers that can escalate into taunts, slurs, and sometimes physical harm. The world the two inhabit is a dangerous one, shadowed by the great white mounds of giant buffalo bones and the paw prints of stalking, mythical tigers as well as more human threats: hateful men, leering cowboys, greedy gold prospectors, and below it all, the blistering thrum of heat, thirst, and potential starvation.

The siblings have different stances on these dangers. Sam responds to conflict with conflict, unafraid to fight and constantly yearning to wander. Lucy is more cautious and concerned with thoughts of finding a new home; she craves wooden houses with glass windows, baths, and clean sheets.

As they move through this hazardous landscape, the two remain caught in a liminal space, stuck between the American West and the storied, half-remembered China of their mother's memories. Without their parents or an immigrant community to guide them, they must choose how to navigate not just the West's dangers but also their unfixed and uncertain identities. "In Lucy's fondest dream, the one she doesn't want to wake from, she braves no dragons and tigers," Zhang writes. "She sees wonders from a distance, her face unnoticed in the crowd. When she walks down the long street that leads her home, no one pays her any mind at all."

Sam doesn't share Lucy's assimilationist dreams, never content to stay in one place for very long and refusing to fit into any existing framework. "We can't survive out here," Lucy tells her sibling at one point, when Sam wants to homestead at the base of some mountains miles from civilization. "There's nothing. No people." "What'd people ever do for us?" Sam retorts. Despite the historical setting, the striking familiarity of Lucy and Sam's narrative and the world we live in suggests that, despite the likely passage of 160 years, little has changed in the experience of racism as an Asian American.

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It's the crack of a gunshot that propels Sam and Lucy out of town, after Sam fires their father's gun during a botched bank robbery and the bullet narrowly misses a white man. The bungled, impulsive holdup forces the two to flee. When Sam stubbornly argues for staying—*they didn't hurt nobody*—Lucy disagrees: "They'll make anything a crime for the likes of us. Make it law if they have to." By "the likes of us," Lucy is aware that the rules are different for them. And so the two steal a schoolteacher's horse, gather up their provisions, and flee into the desert, lugging the corpse of their father in their mother's old medicine chest.

The novel's first part follows Sam and Lucy's journey east; evocative and sharply honed, the prose can occasionally get mired in its lyricism. Zhang's sentences are deliberately hewn to the point of fracture, the diction dry as the scorched landscape the siblings traverse, conjuring up rough gems embedded in earth. But as the two flee through the desert seeking sheer survival, Zhang deftly integrates their upbringing through a series of flashbacks. Though the siblings are trying to find a proper burial place for him, their father's decomposing body parts are deposited by Lucy in several places along the way: a finger under a mound here, a toe buried there, even his flaccid penis, falling out of the medicine chest after a good thump, which "gives under her toes, like a dried plum."

As the novel progresses so, too, does the prose: The sentences begin to feel less arid as the story dives back into the past in the second section, set in XX59, before their mother's death, in which the family's relationships are triangulated among parents and children, each marking the changing world around them.

Here we learn of the racist treatment that their parents faced. Ba, reduced from gold prospector to humble coal miner, was severely underpaid, and when he had to find shelter for his family, he was offered only a former chicken coop to rent, still stinking of animal shit. Meanwhile, Ma was the person who held the household together, at times stridently demanding, at others wielding her femininity and beauty like a weapon. In fleshing out the family's world, Zhang gives further context to the bigotry they experienced and outlines the lesson—hard-earned for Lucy—that appearances are both of the utmost importance and, when sorely tested, completely illusory.

How Much of These Hills Is Gold

A Novel
By C Pam Zhang
Riverhead Books. 288 pp. $26

As we move through these sections, we also discover that Lucy has a secret, one she hopes will propel her out of her circumstances: She's a budding intellectual. Her mother taught her and Sam to read English, which astonishes the settlement's white schoolteacher (yes, the same one whose horse they later steal). After a difficult start at school stemming from racist bullying, Lucy begins private lessons at Teacher Leigh's house, ostensibly in return for helping him with a monograph on the Western territory. The visits introduce her to a different kind of society: straitlaced, genteel manners; cookies with jam centers; an expensive covered jar of salt that makes her mouth water. Teacher Leigh has an ulterior motive, however. To him, Lucy is an object of study herself, part of his monograph's survey, and he plies her with questions accordingly: "What does your father drink? How much? Can you describe his attitude toward violence? Would you call it savage?"

Though Lucy learns the language and the manners and is increasingly able to comport herself like a young lady of "great breeding," it's clear that Teacher Leigh, despite what he thinks of as good intentions, still can't see her as a person and always categorizes her as other. He refuses to grant Lucy the humanity so easily ascribed to white men and women, and he's quick to let his praise drop when her true personality and upbringing show. When his own teacher, Miss Lila, visits him, wishing to witness the miracle of Lucy's learning, he presents his young pupil with a hypothetical scenario intended to display the quality of her character. "Let's say you and I are traveling the same wagon trail," he begins. The two have equal provisions in this scenario, but misfortune causes Lucy to lose all her goods while fording a river, and the water is unfit to drink from. What is she to do?

"Lucy nearly laughs," Zhang tells us. "Why, this question is easy. The answer comes quicker than math or history. 'I'd butcher an ox. I'd drink its blood and continue on till fresh water,'" she answers confidently. This, Lucy learns, is the wrong answer, one that's unbecoming for a young lady. The correct answer: She should ask for his help, for Leigh would surely lend a hand and thus spread goodwill. Yet Lucy recalls a time on the trail with her parents, who had nothing: "All those miles they traveled, and not once did another wagon offer help."

Assimilation, it's clear, is impossible, despite how much Lucy might crave it. When her family is betrayed by a group of white men at a crucial moment at the settlement, this lesson is only underlined: No matter how good you are, no matter how honest your motives, it's your otherness—the fact of your face, a thing no one can control—that will eventually betray you.

In Zhang's text, the manifold experiences of racism are manifested in the two siblings' contrasting presentations. Sam, a year younger, is impetuous, masculine, and beautiful; Lucy is plainer, quiet, and determined. As she becomes aware of her burgeoning womanhood, of how it feels to be looked at and what being looked at means, she also becomes aware of the risks that her body, fetishized by white men, makes her vulnerable to. Meanwhile, Sam knows the importance of presenting oneself in a calculated way: "*What people see shapes how they treat you*." Early in the text, Sam's gender is revealed—the two siblings are, in fact, sisters—as well as Sam's desire to be perceived otherwise. Though Lucy continues to use "she" and "her" for Sam throughout the book's narration, it's clear that Sam presents as a man and wishes to be treated like one, going so far as to pack a phallus-shaped rock in a secretly sewn pants pocket near the crotch.

Performance is everything: Both siblings know that a change in dress, a lowering or softening of the voice, good manners, or a gun can affect how someone is perceived and that this perception can make the difference between life and death. Yet no matter their dress or manners or competence, their faces remain a constant reminder of their otherness and, in turn, reveal the inequity of the world they inhabit.

What does it mean to live in a country that refuses to accept you? Lucy and Sam, born in the United States, have an only rudimentary grasp of Chinese; they've grown up speaking and reading English. Their dialogue is a mix of English and Chinese, unitalicized and left untranslated for the reader. Yet they have no memories of their motherland; they don't even have images of it. While Lucy yearns for acceptance in the American territories, Sam wonders about the country their family decided to leave. It feels inevitable that

Zhang has chosen to present this search for home as a split narrative, the decisions of the siblings fragmenting into separate futures. The forking paths of Lucy and Sam remind the reader that there isn't one true way of feeling at home in the world, that there are as many ways of navigating a fractured identity as there are immigrants and the children of immigrants and their children's children.

The book's fantastical refiguring allows for some moments of narrative poignancy, particularly in dreamlike images like the repeated motif of a stalking tiger's paw prints, which make literal the cultural and inherited trauma and perhaps even hope that link parent and child. In the book's most magical and breathtakingly beautiful section, told from the point of view of their father's ghost, we learn how Ba's relationship with their mother came to be and the sacrifices it required from them and their community. It's revealed that Ba was born in America—or at least found there as an orphaned child—and so he grew up speaking English, unfamiliar with Chinese. When he meets Ma, she's the person who teaches him the language. The gaps of understanding between the two lovers—and later between them and their children—contribute to the intergenerational immigrant experience Zhang's narrative describes, as Sam and Lucy are left struggling to reckon with the chasm their parents did not bridge.

What Zhang describes in the plight of Lucy and Sam and their parents isn't new, but it continues to resonate with a contemporary audience. Despite the many generations of Asian Americans who have been born in the United States since the first wave of Chinese immigration, there remains a resistant strain of xenophobia, an unwillingness by white Americans to accept that other American faces—Chinese American faces, Mexican American faces—might not look like theirs but have a home in this country nonetheless. It's this kind of xenophobia that prevents first- or second-generation Asian Americans from finding comfort in this country, caught between a lack of language that connects you to your family's roots (imagine being told to go back to your country when English is the only tongue you've ever spoken) and the inability to feel welcome in the only place you know as home.

By setting the novel's narrative in an explicitly historical context, however altered, Zhang reminds readers that Asian Americans and Chinese Americans in particular have helped build this country, that it ought to be the home her protagonists are looking for. For all the elements of history and reality Zhang has decided to change as an author, the racism remains. This should be seen as an opportunity not to bemoan our sullied mythologies of American history but to excavate and illuminate whatever of them exist to this day.

In the last part of the book, which skips ahead five years, Lucy is living in the small, mild settlement of Sweetwater, many miles from the California desert where she and Sam grew up. Sam, meanwhile, is nowhere to be found. Zhang uses the swift passage of time to emphasize how the land—and the novel's protagonists—have changed. There are mansions now,

All 21 of Mississippi's Beaches Are Closed Because of Toxic Algae

(CNN headline)

It starts with the sweetest
contaminant masks: hound's-tooth,

hummingbirds & hibiscus. The tagline:
Breathe us in on Instagram. It starts

with Instagram, the masks modeled
near skateboards and gold-light

palmettos. It starts with a sister's
call from the car: *all these trees*

down from last night! In the backseat
the kids holler-sing. The weatherman

looks surprised by the tornado in Baltimore.
In Stanhope. In Bucks County, PA.

Strange days, folks. It starts with a gone
jetty. Gone campsite. Gone silo. It starts

with *did you see*. With *still*? *again*?
It starts with *I could swear it wasn't always*.

It starts and keeps starting.
With a sidebar headline and a bummer

of a vacation week—no ocean this year,
sorry, kids. But let's not make it

worse with worry. We'll play more
mini-golf. We'll still have a good time.

CATHERINE PIERCE

even in the middle of the previously untamed American West, and Lucy has fallen in with the wealthy young daughter of a gold mine owner. But even in Sweetwater, there's a reminder that, no matter how good their intentions, some people simply won't be able to see Chinese Americans as fully human, this time shadowed by the new, ugly specter of male desire that hangs around 17-year-old Lucy. When Sam suddenly returns from years spent adventuring, riding on horseback through the deserts and learning to ignite dynamite in mines, the two head back to California in a journey retracing their previous odyssey. Zhang's lyrical prose is now activated again but at a brisk, thrilling clip. Sam's dream is to return to the land across the ocean, the one their mother described in stories, their passage paid in gold.

The end of the book finds Lucy in California, after a series of difficult choices, as construction of the Transcontinental Railroad nears its end. "She hears the cheer that goes through the city the day the last railroad tie is hammered. A golden spike holds track to earth. A picture is drawn for the history books, a picture that shows none of the people who look like her, who built it." Six hundred and ninety miles of track, two men dead for every mile laid. "The trains have killed an age," Lucy thinks. But has anything really changed? The dresses women wear don't have 30 pearl buttons down the back, and gone are the buffalo and the open prairie and the days of the Pony Express. But even today, in the world we all share, it's possible that one doesn't walk unnoticed, the fondest dream Lucy had. That with a glance, with spittle or a slur, one can be reminded of the persistent inequity and otherness embedded in our society today.

As I reread Zhang's novel during lockdown, the characters' relationship to presentation and perception took on a new significance. I can't help but remember the knee-jerk, xenophobic fear that led New Yorkers to avoid Chinatown restaurants before Covid-19 arrived in the States or the acts of racist violence—heckling, spitting, an acid attack on a 39-year-old Asian woman in Brooklyn—that seem to have come, whole cloth, out of another era. But was it another era, or is it still the one we live in?

The book's last line—"She opens her mouth. She wants"—offers a final, hopeful flourish. Zhang's novel ends on an incomplete sentence, an unspoken desire from Lucy, suggesting the opportunity to continue to write her story, to finish the sentence, to compose a future of what we want when we allow ourselves to want anything. ■

IN-BETWEENNESS

Moses Sumney's *græ*

by STEPHEN KEARSE

Moses Sumney has an arch relationship with loneliness. The guitarist and singer makes love songs about rifts between lovers, savoring their conflicts, relishing their discord. He pens odes to solitude that are as sullen as they are victorious, his voice quivering with sorrow and pride. His music has all the signifiers of lonerism—introversion, withdrawal, outer space—without the accompanying misanthropy. He's a recluse for whom distance from people, from ideas, is not detachment. On his sophomore album, *græ*, he gives shape to this peculiar pose, voicing a self-possession that's born of loneliness yet emboldened by it.

Split into two parts, the first (12 tracks) released in February and the other (eight tracks) in May, *græ* is billed as a double album, and it's best experienced in full. Though the "sides" are digestible half-hours, Sumney's rich blend of electronic, folk, and soul rewards immersion. Nominally a concept album about embracing multiplicity and fluidity, the gray area between black and white, the record's true strength is its restlessness. In his portraits of in-betweenness (or grayness), Sumney provides a surfeit of metaphors, sounds, and ideas that titillate without feeling complete or final. He's a slippery, elusive performer, couching his probing inquiries into identity and intimacy in songs that morph and shed and erupt. The appeal of grayness seems to

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MOSES SUMNEY (ERIC GYAMFI)

be its inherent abstraction. In the openness and emptiness of the gray area, Sumney finds personal and artistic autonomy.

Compared with his debut album, *Aromanticism*, which dissected love songs into spare reflections on solitude, *græ* synthesizes rather than deconstructs. From the ambient jazz of "Neither/Nor" to the folk sway of "Cut Me" to the doom-tinged drone of "Me in 20 Years," the songs here are always alive and in motion, an endless rush of styles and lineages. This looseness feels intentional. Early in his career, Sumney was courted by the music industry to become an R&B star, a pressure he sensed stemmed from racism rather than a recognition of his talents. He declined, electing to cling to his instincts and follow his interests despite the professional consequences. *Græ* embellishes on that choice, expanding all the flourishes and influences hinted at in his previous music. The record is not a polemic, but it's weighted with an air of correction.

Sumney's main weapon has long been his disarming falsetto, which he can coil into a wounded, icy wail or expand into a warm, heavenly sunbeam. His early music would use it to haunting effect, looping it into ghostly choirs or leaving it exposed over a whisper of acoustic guitar. Here his voice and his ambitions are amplified. His falsetto remains beautiful, but it's less of a centerpiece now. On "Virile," a song that casts masculinity as an endless (and sometimes fun) performance, his voice cascades up and down the vocal spectrum as he sings, "You've got the wrong idea, son." As he lingers on the first syllable of "idea"—"I, I, I"—he seems to demonstrate how open-ended masculinity can be. Accordingly, the production is both harsh and soft, melding flute trills, string swells, and frantic percussion into beautiful chaos. His definition of virility is less about strength or potency than about the potential and willingness to change form.

Sumney often uses grayness this way, prying open an idea and wondering aloud if it could work differently. He can be both playful and critical. "Conveyor," which embodies the former, is a cheeky vow to embrace conformity. "I will assume form / Join the workforce / The colony," he sings with tart sweetness. The puttering drums and shimmering synths nearly obscure his voice, conveying the success of his conformity.

For the spoken-word song "jill/jack," Sumney and singer-songwriter Jill Scott take a diagram of hypermasculinity and slyly rearrange it. "He had that masculine thing down / Shoulders and back straight / Never slumping, never round / Straight," the song begins, repeating the chant with tweaked pronouns and ad-libs. It ends with the two speaking in unison, masculine and feminine, both a critique of rigid gender politics and an exercise in fluidity.

The clearest demonstration of Sumney's range is "Gagarin," presumably named after the first man in space, cosmonaut Yuri Gagarin. Moaning across a gorgeous void of twinkly keys, rich bass lines, and echoing FX, Sumney's voice is transformed into a slurred, depressive yawn. "My life does not belong to me," he says with acute resignation, evoking Gagarin's pioneering flight. The song has a cinematic quality to it, every sound rich and lush, every word weighted and bleak. But there's also solace in space, and when he views Earth from orbit, he finds purpose: "For that big blue bold / I'll let it go / For the gold medal / Surrender." Sumney's Gagarin sounds frightened and patriotic and self-destructive all at once. This imaginative biopic in song is not so much a story as a topography, the contours of isolation mapped in granular detail.

Sumney's vision of grayness is not solely musical. Across the record, spoken interludes ground his genre hopping in a larger fight for self-determination. The record begins with writer Taiye Selasi exploring the etymology of the word "isolation," whose root means "island," and then constantly builds on that idea, presenting disconnection as both an emotional and a political experience. On "boxes," a coda to "Conveyor," poet Ayesha K. Faines says, "I truly believe that people who define you control you and the most significant thing that any person can do—but especially Black women and men—is to think about who gave them their definitions." The aptly named "also also also and and and" adds that the ability to change definitions is just as vital as writing them. "I insist upon my right to be multiple," Selasi says.

Selasi's directness is an effective complement to Sumney's abstraction, which might otherwise scan as cagey. "Bystanders," for instance, warns of the dangers of misplacing trust in supposed allies, drawing a distinction between supporters and gawkers. "Don't waste your candor / On bystanders / They'll watch you waste, waste / Waste, waste away," he sings. In the context of the long history of Black people being surveilled and imposed upon, Sumney's advice lands as cautious rather than vague. Asserting one's freedom is not the same thing as having it recognized, a point he takes so seriously that he does not elaborate past betrayals.

The album's highlight is "Polly," a warmhearted transmission to a lover who's resistant to Sumney's preference for polyamory. The song channels all of *græ*'s notions of multiplicity, from its eruption of voices to its contradictory imagery. Sumney buzzes with delight and fear as he articulates his vision for the relationship: "I want to be cotton candy / In the mouth of many a lover / Saccharine and slick Technicolor." The sequence is empowering and depleting. Cotton candy is adored and also disposable, a disjunction that creeps in as Sumney second-guesses his admission toward the end of the song. "Am I just your Friday dick?" he asks. The song's one-sidedness heightens the sense of risk, a nuance that would be foreclosed if Sumney had written it as a defense of polyamory rather than a negotiation of one particular arrangement.

Ultimately, this seems to be the appeal of grayness as a theme; instead of anthems, Sumney offers solitary dispatches, celebrating his freedom while refusing to downplay its costs, its fragility. His island is sovereign and teeming—and exposed. Moses Sumney's music won't make you feel invincible, but it will make you feel alive. ■

Q&A MANDELA BARNES

After a police officer in Kenosha, Wis., grabbed 29-year-old Jacob Blake's T-shirt and fired seven shots into his back on August 23, Wisconsin

Lieutenant Governor Mandela Barnes was on the streets in the city and on screens nationwide calling for a reckoning. This was not new activism for Barnes. Before he was elected in 2018, at age 32, as Wisconsin's first African American lieutenant governor, he joined Black Lives Matter demonstrations and advocated for criminal justice reform as a legislator from Milwaukee. I spoke with him about his frustration with justice delayed. Here are some highlights of our conversation.

—John Nichols

JN: The video from Kenosha was so jarring, you knew there would be a reaction.

MB: I knew that there was no way that people would calmly react to any of that. I mean, one, it is anger inducing for some. It is depressing for others. It is downright frightening for more people. And for people to have marched all these months, you'd think that police departments, sheriff's departments would have rushed to implement reform in any way possible.

People expected things to change after every business had put out their statement about how [they recognized Black lives matter], after people had awakened in corners of the state that had not seen any sort of protest or civil rights activity maybe ever. These people assumed that things were on the mend with society.

But when that happened in Kenosha, I think it painted a very different picture and one that caused a lot of heartburn, a lot of heartache.

JN: Jacob Blake survived the shooting, but he is paralyzed from the waist down.

MB: And it didn't have to be that way. Nobody thinks that that's a responsible way to carry out justice—shooting someone in the back [multiple] times. That's not just bad police work. That's beyond bad police work.

JN: On the third night of protests in Kenosha, a 17-year-old white vigilante shot and killed two protesters. What's your sense of what went wrong?

MB: Well, the sense of what went wrong there has to do with the things that are accepted, right? Like, it's accepted, it's OK that these armed dudes were walking around. They were walking around police officers. They weren't trying to hide from law enforcement. They were out in plain sight, making a claim that they were there to help. That's a problem.

It's a problem that that was even accepted by law enforcement as something that was even reasonable. No reasonable person thinks that that is OK, especially in a situation that is as tense as what was going on in Kenosha that night. That is fuel to the flames.

JN: What's your sense at this point of what needs to happen in Kenosha?

MB: What needs to happen first is [the Kenosha police chief and the Kenosha County sheriff] need to have a reckoning with the communities that they are there to protect and serve.... At this level right now, especially when there is so much distrust, they need to be having those difficult conversations. And if they aren't ready to have those conversations, this may not be the role for them.

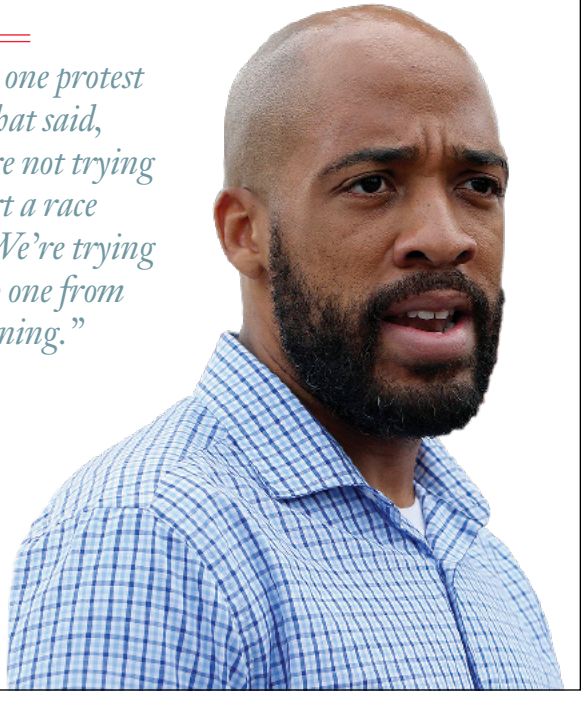
JN: And beyond Kenosha?

MB: There has to be a system-wide approach to addressing this [standards for police use of force], and there are a number of simple measures that the state of Wisconsin will [need to] take up in the understanding that they will not solve every problem or prevent every incident. But they will go a long way as a signal showing people across the entire state—whether you're a private citizen, whether you're in law enforcement—what will be tolerated and what won't be tolerated.

JN: Pundits are talking a lot now about backlash against the protests.

MB: I read one protest sign that said, "We're not trying to start a race war. We're trying to stop one from happening." That really stuck out to me, and that's a message that I would like for the individuals who are growing weary of protest to see. ■

I read one protest sign that said, "We're not trying to start a race war. We're trying to stop one from happening."



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