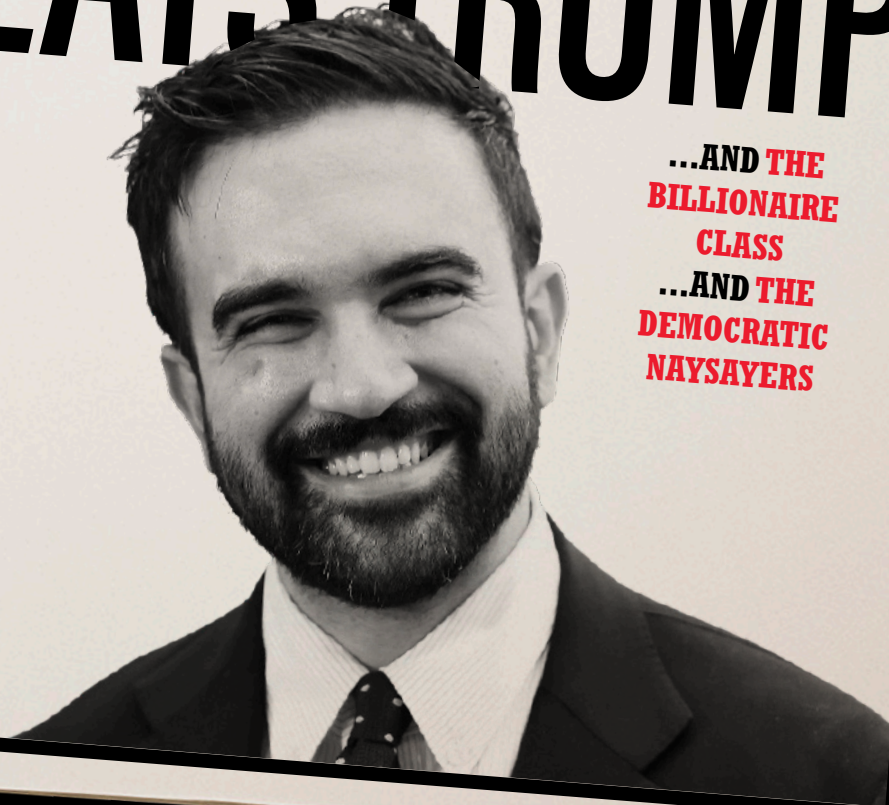


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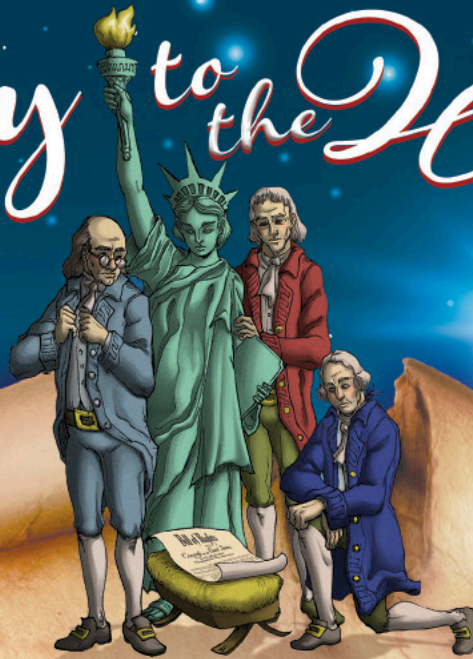


# MAMDANI BEATS TRUMP



**...AND THE BILLIONAIRE CLASS**  
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EDITORIAL/KATRINA VANDEN HEUVEL AND JOHN NICHOLS FOR THE NATION

# Mamdani's Mandate

**Z**OHRAN MAMDANI HAS NO HIGHER RESPONSIBILITY THAN TO BE A GREAT MAYOR of New York City. It is, after all, his job, now that more than a million New Yorkers have overwhelmingly elected him to the highest office of America's largest and most dynamic municipality. Yet, as he succeeds, Mamdani has the potential to transform not just a city but the politics of a nation that desperately needs a robust antidote to Donald Trump's oppressions. As Mamdani told *The Nation* after his Democratic primary win in June, "You cannot defeat this attack on democracy unless you also prove its worth."

What took Mamdani's candidacy from impossible to inevitable was his fundamental understanding that to prove the worth of democracy, leaders must make the lives of the people who elect them measurably better. Trump has failed miserably in this regard. But so, too, have many Democrats. One of the primary reasons the Democratic Party lost in 2024 was that its technocratic response to the affordability crisis struck Americans as lacking in both urgency and ambition. So Mamdani, a democratic socialist who takes his inspiration from Franklin Delano Roosevelt, Fiorello La Guardia, and Bernie Sanders, set a higher bar. "A life of dignity should not be reserved for a fortunate few," he declared. "It should be one that city government guarantees for each and every New Yorker." He coupled this vision with practical proposals for a rent freeze, fast and free buses, universal childcare, and city-owned grocery stores in food deserts. And he pledged to fund his plan by taxing the very billionaires that Trump has enriched and establishment Democrats have coddled.

Prominent pundits refused to accept the prospect that New Yorkers would elect a democratic socialist as mayor (hello, cable news commentators), as did newspaper editorial writers (hello, *New York Times*) and top Democrats (hello, Senate minority leader Chuck Schumer, who refused to endorse his party's nominee for mayor of his hometown). The elites were slow to catch on to the fact that this 34-year-old Muslim immigrant from Uganda, after serving three terms in the relative obscurity of the New York State Assembly, had captured the imagination of the city's multiracial, multiethnic electorate. Of course, Mamdani's mastery of social media helped. He presented himself with a confidence that belied his age, a calm that countered the hysterics of his critics, and a clarity that both inspired and reassured voters. Tens of thousands of young volunteers rallied around a candidate who was comfortable speaking truth to power. When he called out the genocide in Gaza, Mamdani was attacked by the *New York Post* and a billionaire-funded smear campaign. Yet he won a mandate from New Yorkers who demanded moral clarity amid Republican cruelty.

Mamdani framed his year-long campaign against the failed politics of the past—as exemplified by the increasingly desperate former governor Andrew Cuomo—and around an understanding that, while democracy is surely under attack from authoritarians in Washington, "it is also under attack from the inside, [because of] the withering of the belief in its ability to deliver on any of the needs of working people."

Mamdani's determination to renew faith in democracy by delivering economic justice is not new: FDR made the connection with his "Economic Bill of Rights." Sanders and Alexandria Ocasio-Cortez are doing the same with their "Fighting Oligarchy" rallies. But Mamdani's relentless focus on putting government in the service of the working class captures the zeitgeist of 2025. So powerful is his vision that Trump pulled out every stop to derail Mamdani's

campaign: threatening to impound funding for the city, to send in federal troops, and to arrest the Democrat if he kept his promise to protect immigrants. While Mamdani relied on public funding and volunteers to carry his message, billionaire-funded political action committees directed \$19 million into a bitterly divisive campaign against him.

With Mamdani's election, the attacks from his avowed enemies in Washington and on Wall Street will only intensify. To counter them, he must surround himself with tough, experienced managers. In the face of hostile media and corporate lobbying, Mamdani's determination

**Mamdani has the potential to transform not just a city but a nation that needs an antidote to Trump.**

to maintain his viral social media campaign will be essential to mobilizing his base, unifying New Yorkers, and keeping the pressure on cautious Democrats in Albany.

State and national Democrats have an interest in Mamdani's success. The party did well on November 4 in races nationwide. But to win big in 2026, its leaders must abandon their feckless resistance to the big ideas that inspire voters who seek alternatives to the false promises and dark machinations of Trumpism. That doesn't mean every Democratic nominee in 2026 must mirror every position of Mamdani's, but they need to channel his energy and boldness.

Mamdani will take office in daunting times for his city and his country—much as La Guardia did after his election in 1933 as the radical mayor of a city of immigrants and working-class families impoverished by the Great Depression. La Guardia captured the imagination of New York and the nation, becoming a beacon of hope at a time of chaotic economics and looming fascism. Mamdani's campaign celebrated La Guardia's legacy. He recalled when we interviewed him that his predecessor “took on these twin crises of anti-immigrant animus and the denial of dignity to working people, and did so with an understanding of what the fruition of democracy looked like—and even what the fulfillment of life, liberty, and the pursuit of happiness looked like—understanding it in the language of the urban sphere: of more parks, more beauty, more light.”

Mamdani's sweeping victory proves the political promise of democracy. And if he governs as he campaigned—as a courageous and deeply principled, yet always results-oriented, champion of economic justice and social uplift—he will prove, as La Guardia did before him, that the people have the power to shape their own future. This is what Trump and the billionaires truly fear, because Zohran Mamdani is right when he says, “They are the authoritarians who seek to keep us pressed beneath their thumbs, because they know that once we shake ourselves loose, we will never be held down again.” **N**

COMMENT / ELIE MYSTAL

## The End of the VRA

*The Supreme Court has made it clear that it's going to allow states to gerrymander away Black voting rights.*

**T**HE SUPREME COURT HEARD ORAL ARGUMENTS ON October 15 in *Louisiana v. Callais*, a case about whether Section 2 of the Voting Rights Act prevents white people from overrepresenting themselves in Congress. The justices can sometimes sound like they're deliberating great and technical points of law during oral arguments, but the outcome in this case was decided long before the lawyers arrived at the courthouse. The six Republican justices are going to neuter the Voting Rights Act and allow the dilution of the voting rights of Black Americans through racist gerrymandering. The hearing was largely an exercise by the Republicans in justifying their racist positions.

At issue were maps for the congressional districts in Louisiana. The state has six of these districts. After the 2020 census, the state

produced a map in which five were majority-white. But Louisiana is only 57 percent white and 31 percent Black. Simple math should tell you that there should be at least two congressional districts in Louisiana that are majority-minority.

That said, if math isn't your thing (and it never is for Republicans when the math doesn't result in their supremacy over others), then the Voting Rights Act and the 15th Amendment should be. Section 2 of the VRA allows the federal courts to intervene when a state discriminates against the voting rights of Black people. The NAACP sued Louisiana over its congressional map after the 2020 census, and a court ordered the state to redraw its maps, which produced two majority-minority districts.

A group of white plaintiffs in Louisiana then sued the state over its new, less racist maps, arguing (wait for it) that this application of the VRA violated their constitutional rights—specifically, their 14th Amendment rights to equal protection. These white litigants were making the case that their overrepresentation in Congress is permissible and that attempts to use the VRA to stop them is the real constitutional violation.

As I explained in my Supreme Court preview in the November issue, the fact that the court agreed to hear this case at all is an indication of how the Republicans intend to rule. *Louisiana v. Callais* was first argued during the previous term, but the justices could not reach a decision and scheduled a rare reargument for this term. The case is itself a carbon copy of a 2023 case called *Allen v. Milligan*, in which the court ruled that Alabama could be forced to draw a second majority-minority district under the Voting Rights Act. The fact that the court was unwilling to apply its own precedent in *Milligan* to the case in Louisiana tells you that the court does not want to uphold the VRA.

The oral arguments removed all doubt. Chief Justice John Roberts and alleged attempted rapist Brett Kavanaugh, the two justices who broke with their usual white-supremacist positions and voted to uphold the VRA in *Milligan*, were both eager to treat the Louisiana case as a completely different thing. Roberts essentially argued that in *Milligan*, Alabama all but conceded that it was in violation of the VRA and asked the court to do away with it, while in *Louisiana*, the state argued that it would still be in compliance with the VRA even if it reduced minority representation to one majority-minority district—an argument that, if accepted, will render the VRA functionally meaningless. This is a common peg for Roberts to hang

his hat on. As long as litigants aren't coming to his court and openly saying "I want to do some racism," Roberts loves to pretend that racism doesn't exist.

Roberts's moral obtuseness here isn't merely annoying (though it is that); it's also a mischaracterization of the VRA. Section 2 of the Voting Rights Act does not require discriminatory intent in order to work. To win, plaintiffs do not have to prove that a state discriminated against Black people on purpose. Section 2 is concerned only with discriminatory outcomes. So if a state produces a map that discriminates against people trying to vote, that state is in violation of the VRA, even if the state "doesn't have a racist bone in its body" or has "lots of Black friends" or whatever else it claims. It's a point that the liberal justices returned to again and again, but one that Roberts seemed determined to ignore.

The lawyer representing Louisiana, J. Benjamin Aguiñaga, the state's solicitor general, argued that Louisiana's intent was not to discriminate on the basis of race; it was to discriminate on the basis of party. The use of this argument is also Roberts's fault. In 2019, in a case called *Rucho v. Common Cause*, Roberts declared political gerrymandering to be "nonjusticiable," which has turned out to mean that white state legislatures can discriminate against Black voting rights as much as they want so long as they claim to be discriminating against people who vote for Democrats. Section 2 of the Voting Rights Act was supposed to be the last line of defense against that kind of racism-by-another-name, because, again, the VRA is concerned with outcomes, not intent. But Roberts and the other Republicans seemed poised to ignore that and give Louisiana a license to discriminate.

A decision by Roberts that flips his position on *Milligan* would be enough to give the racists the win, but the second Republican in the *Milligan* majority, Kavanaugh, also appears set to abandon his position from just two years ago. Kavanaugh was fixated on what has come to be my least favorite white argument in any hearing about race: "Surely racism has been solved by now." He wanted to know when we can declare that Louisiana, and all other states, have solved their racism problem such that Section 2 of the Voting Rights Act is no longer necessary, and he was disappointed when Janai Nelson, the head of the NAACP's Legal Defense Fund, couldn't give him a hard-and-fast date for when racism will be solved.

Again, I hate this argument. White people enact racist policies; we make laws to try to stop them from enacting racist policies; those laws kinda, more or less, work sometimes; and then white people say, "See, we've solved it! We don't need the law anymore." As Ruth Bader Ginsburg once said—back during the court's first successful whack at voting rights—the Republican argument amounts to throwing away your umbrella in a thunderstorm because you're not wet yet. Racism will be over when white folks stop doing it. And you'll know they've stopped doing it when we no longer have white lawsuits aimed at

**The hearing in Louisiana v. Callais was largely an exercise by Republicans in justifying their racist positions.**

overturning the laws meant to stop white folks from being racist!

If you're looking for a silver lining, I can at least report that the white-people argument the plaintiffs were trying to make—"inclusive maps violate our equal-protection rights"—got absolutely no play from the Supreme Court. The Republicans are going to allow Louisiana to discriminate, but they're not going to say discrimination is required by the 14th Amendment in order to make white folks feel "more equal" than everybody else (at least, they're not going to say that in this case). I believe Kavanaugh

articulated what will be the court's eventual 6–3 holding. He essentially said that Section 2 of the Voting Rights Act is constitutional, but that the application of Section 2 to a map where the intent to discriminate cannot be shown is unconstitutional. The conservatives will avoid the headline "Supreme Court Overturns the Voting Rights Act," but they will neuter the VRA to the point that it's no longer allowed to function.

If that is indeed the decision that comes down from the Supreme Court in June 2026, I'm sure that Louisiana will try to redraw its congressional maps to go back to one majority-minority district ahead of the 2026 midterms, netting Republicans an additional seat in Congress. Some analysts believe that this Supreme Court ruling could result in as many as 19 congressional seats being shifted to the Republicans by means of gerrymandering away Black voting power.

The question I'm always asked in these situations is: "OK, so what can the Democrats do about this horrible Supreme Court ruling?" At this point, my answer is basically, "I dunno, go back to 2021 and expand the court when you had the chance, like I told you to do." Leaving Republicans in charge of the court is and always has been an existential threat to the Democratic Party, and cases like *Louisiana v. Callais* are the reason why. The Democratic Party cannot survive the loss of Black voting rights. If the party refuses to protect those voting rights when it can, then the party is ensuring its future defeat. We are now suffering the consequences of the Democrats' past inaction.

Given what has come to pass, the only real option for the Democrats is to gerrymander the states they control to the absolute maximum; hope that the Republicans, in their hubris, allow there to be an election in 2028; hope that Republicans lose that election; hope that Republicans don't use the military to steal an election they lost; and then use tiny Democratic majorities to completely remake the electoral system and the Supreme Court. There's nothing I know about establishment Democrats that tells me they have the will to do that, even if they are allowed to take power again, but that's the play.

The solution, if there is one, is political, not legal. "The law" is of no more use here. The Republican justices have the power to do whatever they want. And what they want, today, is to flip Congress in favor of Republicans. I continue to live in fear of what they'll want tomorrow.

COMMENT / BILL DE BLASIO

# Advice for Zohran

*Mayor to mayor: Keep it simple and focused amid the daily challenges of leading New York City.*

**Z**OHRAN MAMDANI IS ABOUT TO FIND OUT WHAT I learned the hard way: No one can be truly prepared for the tsunami-like dynamics of the transition from regular human to leader of a city of 8.5 million people. So let me speak from experience as a two-term mayor of New York City and offer a little guidance (or at least some solace) to Zohran and his team as they begin their extraordinary journey in governance.

There are four areas that can make or break the first year of a mayoralty: Team, Simplicity, Speed, and Authenticity.

Let me break them down.

**Team:** When I started having focused conversations with Zohran earlier this year, I was struck by how deeply and thoughtfully he absorbed advice. He was consistently big-picture-oriented and historically grounded when it came to understanding the role of a mayor. And as I watched his outreach to people with experience and insight, regardless of ideological differences, I gained confidence that he would not make the mistake of just hiring from his inner circle.

It's easy and comfortable to surround yourself with longtime loyalists. But the better strategy is to keep a core of trusted true believers available while seeking highly experienced talent for other roles. This is the best way to serve the people of New York City, while also fighting off the "hostile encirclement" that the status quo forces in business, politics, and media will utilize to try to strangle Mamdani's vision and success.

**Simplicity:** There is no place as fast and dynamic as New York City Hall. Every day is a battle to preserve a proactive agenda against the never-ending attacks, crises, and incessant incoming fire. In this context, complexity is a profound danger. Anything that needlessly slows the agenda can be fatal to the overall equation of constantly building on successes and developing political capital.

Thankfully, no candidate in recent memory has kept their vision as simple and focused as Zohran Mamdani has. The key, especially at the start, is to retain that impulse amid the crashing waves of daily challenges involved in leading our city.

I unoriginally (but, I do believe, effectively) used the first 100 days of Franklin D. Roosevelt's presidency as my exemplar, which helped my team and me score major early victories with Pre-K for All, paid sick days, and fair contracts for municipal workers. This bought us time to keep moving on the rest of our plan. We didn't try to do too much at first. That opened the door to do much more.

Unfortunately, we didn't always get it right. On the smaller but morally vital issue of banning the inhumane practice of using horse carriages to ply the busy streets of Midtown Manhattan as tourist transport, we snatched defeat from the jaws of victory. We engaged in an unnecessarily elaborate attempt at legislative perfection and lost the window for

the quick, bold action that could have prevailed.

**Speed:** Successful mayors recognize the power of striking while the iron is hot. That's especially true when it comes to advancing progressive policy: I have often reflected that my administration could not have achieved Pre-K for All and the beginning of 3-K for All if we had waited even one more year. Because we jumped at our first good opportunity, more than 500,000 New York kids have already benefited from this initiative.

It's also true in moments of crisis. The rule of thumb is simple: If you think something might be a major problem, act like it already is.

At one point in my administration, we had a blizzard with literally the highest snowfall recorded in the city since the Civil War. My team and I were intensely focused in the days before it struck, made quick moves, and communicated accordingly with the public. As a result, NYC rebounded with surprising speed. Yet a few years later, what appeared to be a negligible snowstorm suddenly intensified and led to a massive pileup on the George Washington Bridge, paralyzing traffic in a big swath of the city for half a day. Our failure to immediately adjust prolonged the crisis.

Expecting chaos and preparing to forcefully adjust when things spin out of control are both necessary ingredients for Zohran to achieve his bigger agenda.

**Authenticity:** Zohran ran as his true self, and New Yorkers loved it. An authentic Zohran is the only version that can succeed in governance. He is blessed with a winning personality and extraordinary communication skills. Now he must recognize that only he can defeat himself by pulling his punches.

I learned early on a central lesson about my beloved New Yorkers: Don't bullshit them. They admire bluntness, strength, and confidence, because that is the energy of this place. If you blink, they stop believing you.

As an extraordinary and hopeful era commences in the nation's greatest metropolis, it has chosen the right leader for the moment. Our new mayor has a unique talent for inspiring New Yorkers. He proved that with a transformational election campaign. Now he must employ that talent to renew the quintessential New York spirit of building what the world has never seen before.

**I learned early on a central lesson about my beloved New Yorkers: Don't bullshit them. They admire bluntness.**

*Bill de Blasio was the 109th mayor of New York City, serving from 2014 to 2021.*

N

7

COMMENT / AMANDA LITMAN

# Beyond Marching

*We need to look at not what it will take to win the next election, but what it'll take to win the next 10 elections.*

**O**N SATURDAY, OCTOBER 18, MORE THAN 7 MILLION people took to the streets in thousands of events across the country, proudly declaring that we have no kings in America. Aerial camera shots of throngs of people marching down the streets of Chicago, New York, Boston, and Atlanta gave me chills. But similar pictures coming out of Billings, Montana; Boise, Idaho; and Hammond, Louisiana (where Trump won in 2024), as well as Richmond, Kentucky (where he won the last three elections), gave me hope. There is an abundance of energy to fight Trump and build a bigger, better, more ambitious democracy that works for everyone. Trump may have won the popular vote (barely), but he is not popular, and *if we can capitalize on that*, we can secure what historians call the U-turn from autocracy.

That emphasized clause is the most important one: Can we capitalize on the energy? Right now, I'm not so sure. Consider that on Sunday, October 19, marchers went back to business as usual. They made their kids pancakes, put their protest signs outside with the trash, and went on with their normal fall weekend plans.

It is not a hot take at this point, but simply a statement of fact: The Democratic Party and the broader pro-democracy movement have failed to build a sustained infrastructure that can turn meaningful mobilizations like No Kings into long-term power. We have no civic-engagement infrastructure that connects the dots between the marches on Saturday and the nuts-and-bolts local engagement that must happen every other day in order to sustain a win.

As cofounder and president of Run for Something, an organization that recruits and supports young, diverse leaders running for local office all over the country, I've seen firsthand the impact that this failure has had on our politics. And I have been trying for most of the last decade to be part of the solution. Run for Something maintains the largest candidate pipeline in politics, with nearly a quarter-million people raising their hands to run for office in all 50 states since we launched in 2017. (Notably, over 70,000 of those leaders have signed up in the past year—more than in the entirety of Trump's first term.)

We work exclusively with first-time candidates running for local office. And we are one of the few national groups that dig in with leaders on the front lines, especially those doing communication and organizing work in red and purple areas. We're looking beyond what it will take to win the next election and toward winning the next 10 elections. To that end, Run for Something has laid out an ambitious five-year, \$50 million plan to invest deeply in a dozen states, including places like Idaho, Louisiana, Mississippi, and Utah, in order to prepare for the eventual upheaval of the battleground map after the 2030 Census.

I firmly believe that local candidate recruitment and support—

especially for leaders who bring next-generation energy, optimism, and communication skills with them—is a necessary component of the work we must do to turn energy into power. But this alone is not sufficient.

Run for Something aims to be the bridge between those marching and those running. We need others to join us in creating more connections. We need both national and local groups to do the explicit political work as well as the gentler but even more crucial relationship-building. It sounds almost silly to say it this bluntly, but we need people to start and sustain group chats that can then be used for organizing a neighborhood block party one week and an ICE watch system the next.

Our side needs to take big swings on all kinds of big ideas. We need investments in local media, whether it's by funding the newsrooms directly or underwriting their subscriptions (or both). We need to open affordable indoor playgrounds that city council candidates can table at, set up gyms with on-site facilitators for men's groups, and sponsor content creators who do interesting and engaging storytelling without having to compromise those values. We should be sending people resources to host their neighbors for dinner, holding food drives, and more.

This kind of work is mostly boring. It will take years, or maybe decades, to accomplish, and it typically does not come with a "return on investment" or similar metric that you can measure and incorporate into a deck or a grant report.

But if we sustain this connective-tissue engagement for decades, we won't need to spend billions of dollars to win elections, because we won't be starting from scratch.

It may seem frustrating to know that, as inspiring as the No Kings marches were, they will not end the crisis. But just as there is no single root cause of the autocratic hellscape we're in, there is no single solution—no one action, hero, protest, or election—that will secure lasting change. We are up against decades of organized, strategic investment in power by the right; that means our response has to be just as organized, strategic, and long-term.

We don't need one sparkly unicorn to save us. Instead, we need an unending stampede of high-spirited horses. **N**

*Amanda Litman is a cofounder and president of Run for Something, which has helped elect more than 1,500 leaders across the country, mostly women and people of color.*

**Local candidate recruitment is a necessary component of the work we must do to turn energy into power.**

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# Town Called Malice



CHRIS LEHMANN

## It's Already Happening

*Ninety years ago, Sinclair Lewis's novel It Can't Happen Here predicted Trump's second term.*

**A**MID THE COUNTRY'S GENERAL COLLAPSE INTO fascist squalor, culture has struggled to keep up. Pop music may have been central to the New Left, but today's listeners are mostly reduced to hunting for Easter eggs, finding anti-Trump messaging in the likes of octogenarian Neil Young's tossed-off anthems. The eager critical embrace of Paul Thomas

Anderson's *One Battle After Another*, based on a 1990 Thomas Pynchon novel steeped in the backwash of curdled 1970s left-wing militance, serves chiefly to underscore the film industry's studious disregard of the way America lives now. A cultural scene reduced to elevating Jimmy Kimmel as a surrogate Dalton Trumbo is clearly running on fumes.

This state of political inertia is probably most advanced in American fiction, where MAGA encounters are routinely transposed into domestic fables of errant masculinity. When I took on the thankless assignment of charting the themes of this subgenre, slogging through fare like Hari Kunzru's *Red Pill* and Jess Walter's *So Far Gone*, I found myself turning to a long-discredited work of fictional anti-fascist prophecy as a striking counter-text: Sinclair Lewis's 1935 novel *It Can't Happen Here*.

Lewis's novel was a response to the initial power grabs by fascist movements in Spain, Italy, and Germany; its title, drawn from a standard refrain of liberal reassurance about the exceptionalist character of the American republic, was meant to shake readers out of their complacent state of Yankee self-congratulation.

Judged by this de facto mission, Lewis's book was mostly a failure. It did launch the 1920s bard of small-town folly back onto the best-seller list, but its ripped-from-the-headlines prophesying was badly off the mark. It imagines a 1936 presidential election in which the incumbent, Franklin Roosevelt, is muscled off the Democratic ticket by the folksy authoritarian Senator Berzelius Windrip. Windrip's gospel of phony populist uplift is cribbed from the dogmas plied by old hard-right constituencies like the KKK and the Daughters of the American Revolution and packaged for mass consumption via the broadcasts of Bishop Prang, a Catholic prelate modeled on the antisemitic scourge of the New Deal era, Father Charles Coughlin, who commands a mass following called the League of the Forgotten Men. Windrip calls his new movement Corpoism—"Corpo" for short—and he promises to use it to smash the faithless elites prospering at the expense of the plain white American working class. Once elevated to the presidency,

he wastes no time in reorganizing the country along a grid of tight ideological submission, abolishing former state boundaries, erecting new universities and media organs to parrot Corpo propaganda, and banishing dissidents to concentration camps—when not simply executing them.

The book's protagonist, a small-town Vermont newspaper publisher, Doremus Jessup, is a classic Yankee individualist given to deploring the homogenizing logic of mass culture. The book traces Jessup's political migration toward violent resistance against the country's Corpo masters as they seize control of his newspaper, visit terror on his family, and intern him in a concentration camp. From his stalwart New England standing as "a mild, rather indolent and somewhat sentimental Liberal," he comes to at least a provisional accord with the apocalyptic worldview of John Brown, a man whom his father taught him to regard as "insane and a menace."

The main character's transformation into a liberal-minded guerrilla, together with the broader botched prophecy of the narrative, consigned *It Can't Happen Here* to the antiquarian bin of American letters. It had been out of print for decades before New American Library decided a reissued edition would have topical relevance for the George W. Bush years.

The novel suffers from some of the excesses of overeager topicality. Lewis populates it with scores of real-life 1930s political and intellectual luminaries, from FDR's labor secretary, Frances Perkins,

to America First press baron William Randolph Hearst. But for readers in the MAGA era, the long-neglected novel makes for bracing and prophetic reading. Windrip bears an uncanny resemblance to Trump, apart from his claim to humble log-cabin beginnings. Like Trump, he

is largely a creation of the media; like JD Vance, he rises to national prominence on the publication of a quasi-memoir, which endorses a wide range of punitive and reactionary positions cloaked as true-blue American patriotism. And like Trump, he demonizes journalists, claiming they sit above the fray "in spider-dens...plotting how they can put over their lies, and advance their own positions."

Windrip also translates his pseudo-populist appeal into an oligarch's policy wish list: His version of Project 2025 is a program called "The Fifteen Points of Victory for the Forgotten Men." It includes directives to revoke the franchise of Black voters and banish women from the workforce, while punishing socialists and dissidents for high treason and banning

**Lewis's novel was a response to the initial power grabs by fascist movements in Spain, Italy, and Germany.**

all labor unions that aren't sponsored by the federal government. It also calls for constitutional amendments to further consolidate power in the executive branch "during this critical epoch," consigning Congress to "serve only in an advisory capacity" and stripping the Supreme Court of any powers of judicial review. (One difference between Trump and Windrip, apparently, is that the latter strongman didn't have a quisling Roberts Court to do his bidding.)

And Windrip peddles his fascist program in the familiar patois of the pandering American huckster. He was "a Professional Common Man," Lewis writes: "vulgar, almost illiterate, a public liar easily detected, and in his 'ideas' almost idiotic, while his celebrated piety was that of a travelling salesman for church furniture, and his yet more celebrated humor the sly cynicism of the country store." His "stagecraft" could "make you see him veritably defending the Capitol against barbarian hordes, the while he innocently presented as his own warm-hearted Democratic inventions, every anti-libertarian, anti-Semitic madness of Europe."

Lewis's predictions may not have come to pass in the decade after the book's publication. But the myopic complacency summed up in its title continues to eat away at the country's political culture more than 80 years later. All that remains to be seen is whether the pusillanimous Democratic leadership caste will come to heed Jessup's grim warning that Windrip's rise was the fault "of all the conscientious, respectable, lazy-minded Doremus Jessups who have let the demagogues wriggle in, without fierce enough protest." **N**

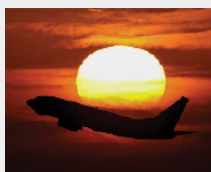


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LAURA ADAMCZYK

## Cultural Contradictions

### David Klion



# Capital Punishment

*The occupation of Washington, DC, reveals the failures of our democracy.*

**A**S THE SEAT OF NATIONAL GOVERNMENT, WASHINGTON, DC, tends to experience whatever the United States as a whole is experiencing, but in sharper relief. Its health tells us a lot about the nation's health—and right now, both are in crisis. For months, Washington has been forced to host unprecedented deployments of National Guard troops and ICE agents, with the former largely functioning to simulate the experience of military occupation while the latter raids homes and worksites and tramples on the basic civil liberties of immigrants and citizens alike.

Washington isn't the only city that's under siege. The first major National Guard deployments, in June, were in Los Angeles, the hometown of Donald Trump's homeland-security adviser Stephen Miller, for the specific purpose of confronting those who were protesting against ICE's immigration raids. But the most common strategy, in which a phantasm of crime is used to justify a full-scale urban occupation, was first employed in the nation's capital in August before spreading to Memphis and Portland, Oregon, in September and to Chicago in October. It is Washington—among the bluest cities in America, with more than 90 percent support for Kamala Harris in the election last year—that has served as a template for what Trump intends to inflict upon so many other cities. "We want to save these places," Trump said, from what he erroneously claims has been a surge of violent crime under Democratic mayors.

Washington was a logical place to start, not only because the federal government is based there—and not only because it's perceived (if no longer accurately) as a majority-Black city and thus a ripe target for an administration whose central premise is white grievance—but also because Washington has no real right to self-governance and thus exceptionally few legitimate options to resist federal incursions. The founders, in their wisdom, wanted to establish a national capital that would not be part of any state and instead would be under the direct control of Congress; they never anticipated that this designated federal district would eventually grow into a city of 700,000 residents.

In 1973, Congress passed the District of Columbia Home Rule Act, which handed most of the responsibilities of city governance to a locally elected mayor and city council. In the half-century since, there has been a perennial tension between the DC government, which like many other urban governments has seen its share of corruption scandals and financial mismanagement, and Congress—especially when the latter is controlled by Republicans, who have tended to treat DC's mayors, all of whom have been

Black, with outright contempt and have repeatedly threatened the city's autonomy. Congress retains the power to block laws passed by the City Council and has done so on numerous occasions, almost invariably at the expense of a local progressive consensus on issues like abortion access, gun control, and marijuana legalization.

For many Washingtonians, the city's disenfranchisement is a source of deep resentment and a spur to grassroots activism. In a 2016 referendum, 86 percent of DC residents supported statehood for the district, which is more populous than Wyoming and Vermont, and in 2021 the House of Representatives narrowly passed a DC statehood bill, which stalled in the Senate thanks to the opposition of Joe Manchin. But congressional Republicans are not merely opposed to statehood; they are determined to roll back the limited home rule DC has enjoyed since the 1970s. In February, Senator Mike Lee and Representative Andy Ogles introduced the Bringing Oversight to Washington and Safety to Every Resident, or BOWSER, Act—an acronym that just happens to spell the last name of the sitting DC mayor, Muriel

**Washington, among the very bluest places in America, has served as the template for what Trump intends to inflict on other cities.**

Congress could withdraw at any time.

For decades, Democrats have failed to treat the cause of DC statehood with the urgency it deserves. Now they appear helpless as Trump and the GOP not only send troops to occupy the city but also inflict likely irreparable damage on its economy, via sweeping cuts to federal agencies like USAID and the IRS, and on its cultural institutions, from the Kennedy Center to the Smithsonian. Ominous signs of a regional recession are already present, including an estimated 20 percent drop in federal jobs.

Even if DC were a state, it probably wouldn't be able to prevent Trump from unleashing federal forces on its streets. But Democratic governors like California's Gavin Newsom and Illinois's JB Pritzker have been far more forceful and outspoken in their opposition to Trump's deployments than Bowser has been. The difference isn't merely one of temperament: Bowser knows she has far less leverage than any governor or any other mayor of a major city, and that the very existence of her office is something

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As a born and raised Washingtonian, I remember when the district was poorer, more dangerous, and more politically dysfunctional than it is today, but I can't remember a time when my friends and family were so pessimistic about the city's future. The guardsmen on the streets are constant visual reminders of DC's disempowerment. The city Trump has called "the swamp" feels defeated, and everyone knows someone who has been directly harmed by MAGA misuse. America's major cities—dense communities defined by racial and ethnic diversity, immigrants, white-collar industries requiring high levels of education, and liberal norms on gender and sexuality—overwhelmingly did not vote for Donald Trump in 2016, 2020, or 2024. Though Trump himself is a son of New York City, the party he leads is fundamentally hostile to urban values, and since returning to power, he has repeatedly threatened to use military force to punish cities for rejecting him. The president has named New Orleans, New York, Baltimore, San Francisco, Oakland, and St. Louis as potential targets for such interventions—all of which voted heavily for his opponent, and none of which have asked for the help. Trump's occupation of blue cities is lawless, heavy-handed, illiberal, and dangerous—and it could be coming to your town next. **N**



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## Subject to Debate Katha Pollitt



# The Gift of Hope

*The state of the world has been looking dark. Helping our fellow human beings is one way to shine some light.*

**M**AGAZINES TAKE A FEW MONTHS TO PUT TOGETHER, so I'm writing my annual holiday donations column in October. It isn't even Halloween yet! Things look bleak right now, but by the time you read these words, who knows? Maybe Zohran Mamdani will be mayor-elect of New York, all those candidates you wrote postcards for will have won, Donald Trump will have run off to a Buddhist monastery, and JD Vance will have quit to start the Cat Lovers for Taylor Swift Fan Club. Sign me up, JD!

Even if all these wonderful things happen, the world will still need your help. So, *Nation* readers of the not-so-distant future, reach deep into your pockets and give generously to any and all of these groups.

**1. Fistula Foundation.** Obstetric fistula is a serious birth injury that causes incontinence. It's not uncommon in parts of the world where medical help during childbirth is unavailable, and it leads to humiliation and ostracism that can last a lifetime. The only cure is surgery, and that is what the Fistula Foundation provides, organizing over 100,000 operations since 2009. Just think, for \$633—the full cost of a surgery—you can transform a woman's life (all amounts welcome, of course). [fistulafoundation.org/donate](http://fistulafoundation.org/donate)

**2. Food banks.** Food prices are soaring, and SNAP benefits are being snipped and even canceled. As more people turn to food pantries and soup kitchens in these tough times, these essential charities are under incredible stress. My neighborhood food pantry has had to shrink its catchment area—and it's one of the city's better-funded. This holiday season, be a good neighbor and write a generous check to your local food pantry. Even if your area is prosperous, you can be sure that there are people who are struggling to feed their families. Then, if you can, write another check for a food pantry or soup kitchen in a low-income neighborhood.

**3. Abortion Care Network.** As states ramp up their anti-choice laws and force their abortion clinics to close, clinics where abortion is legal are facing increased pressure from an influx of out-of-state patients. Abortion Care Network supports independent abortion clinics with the funds, tools, and resources they need to keep going strong. [abortioncarenetwork.org/donate](http://abortioncarenetwork.org/donate)

**4. Care for All.** Located in Milwaukee, Care for All is a newly opened clinic that provides abortions regardless of a patient's

immigration status or ability to pay. Just in time, too, because as of October, Planned Parenthood had to pause providing abortions in Wisconsin because of a Trumpian ban on Medicaid payments to the organization. As one of only three clinics, including Planned Parenthood, in the large and populous state, Care for All has its hands full. Buy them an item from their Amazon wish list, or better yet, sign up for a monthly donation. [careforallwi.org/how-to-help](http://careforallwi.org/how-to-help)

**5. Midwest Access Coalition.** Despite the popularity of abortion pills, plenty of women still need surgical abortions. But because of bans and restrictions in many states, getting that care increasingly means long trips, which delay care and are impossibly expensive for many. MAC is a travel service that covers abortion seekers traveling to or from 12 Midwestern states. It makes all the arrangements and pays for everything but the procedure itself—transportation, food, lodging, even childcare. [midwestaccesscoalition.org/donate](http://midwestaccesscoalition.org/donate)

**6. Help Lesotho.** This Canadian NGO provides education and social support in the tiny, landlocked African nation—one of the world's poorest, with high rates of people living with HIV. Life just got harder there, thanks to Trump's cuts to foreign aid and big tariffs on textiles. (Denim clothing factories are one of Lesotho's few vital industries.) Based in the country's rural areas, Help Lesotho reaches out especially to schoolchildren, single mothers, grandmothers struggling to raise their orphaned grandchildren, and herd boys who live isolated lives tending livestock. [helplesotho.org/donate](http://helplesotho.org/donate)

**7. Doctors Without Borders (MSF).** I don't usually feature big NGOs, but with the world in crisis in so many places, sometimes it makes sense to support a charity that is already scaled up to help worldwide. Right now, 1,000 MSF staffers are working overtime in Gaza, treating every conceivable need: wounds and burns, maternal and pediatric services, malnutrition (yes, the famine is real), mental health support, and lots more.

An unrestricted gift to MSF aids in crises around the world—Sudan, Ukraine, Yemen, among many other nations. To earmark your gift for Gaza, you can either write "Gaza" on the check, call MSF's donor services line at 888-392-0392, or e-mail [donations@newyork.msf.org](mailto:donations@newyork.msf.org) after donating online. [give.doctorswithoutborders.org](http://give.doctorswithoutborders.org)

**8. Refugee and Immigrant Center for Education and Legal Services (RAICES).** This organization helps immigrants in Texas and elsewhere with social needs, mental health, and pro bono

**Reach deep into your pockets and give generously to any and all of these groups.**

legal aid. Its bond fund has helped keep 2,000 people out of detention, including clients detained by ICE. RAICES is one of our most dedicated advocates for fairer immigration policies—which we need now more than ever. [raicetexas.org](http://raicetexas.org)

**9. Media and Democracy Project.** Fair and accurate news has never been more important, but there's less and less of it. This all-volunteer group relies on your donations to support local media and to fight Fox and the Trump administration's war on the press. Help get the news out! [mediaanddemocracyproject.org/donate](http://mediaanddemocracyproject.org/donate)

**10. Afghan Women's Fund.** Under the Taliban, Afghan women have lost every right they ever had—from schooling beyond sixth grade to being able to leave the house without a male escort. After the recent earthquake, government workers scooped up injured men and children but left the women lying wherever—mustn't touch! AWF, an all-volunteer human rights organization, helps girls and women with education, income-generation projects, and material aid. Don't let Afghan women be abandoned. [afghanwomensfund.org/donate](http://afghanwomensfund.org/donate) **N**



SNAPSHOT  
Leon Neal 

## Fighting for an End to Fossil Fuels

Climate activists demand to know how long Shell has known about the dangers of fossil fuels in a “Shelloween”-themed demonstration outside the company’s headquarters in London on October 29.

### By the Numbers



**4k**

Number of federal workers that the Trump administration attempted to lay off in October, during the government shutdown

**\$14B**

Amount the shutdown will cost the US economy, according to the Congressional Budget Office

**1.4M**

Number of federal workers who aren't getting paid

**730k**

Number of federal workers who must continue to work without pay

**42M**

Number of people who rely on the Supplemental Nutrition Assistance Program, or food stamps, which is affected by the shutdown

**26%**

Projected increase in the average price of health insurance next year in the Affordable Care Act marketplace without any intervention from Congress

## CALVIN TRILLIN DeadlinePoet

### The New Ballroom

The East Wing was destroyed by night,  
But Trump says it will be replaced.  
He's planned a palace, mostly gold—  
A shrine to outer-borough taste.

# Q&A

## Zadie Smith

There are few authors who have been famous for half their lives. Zadie Smith is one of those rare figures. When her debut novel, *White Teeth*, was published in 2000, it was met with critical praise, and Smith was ushered into the canon of British literature. Over the ensuing 25 years, she has demonstrated her creativity and versatility by publishing six novels, one collection of short stories, a play, a children's book, and many essays. Like her other works of non-fiction, her new collection, *Dead and Alive*, explores the subtle details of art, the complexities of grief, and the political upheavals of our era. Although the book encompasses essays published between 2016 and 2025, taken together, they present cultural criticism and political commentary in a plummier tone than the murkiness that was brewing in the US and the UK throughout those years. Smith's urgency in publishing *Dead and Alive* stems from her desire to honor the dead by showing how we collectively can keep more people alive.

Early on in the foreword, Smith encourages readers to approach the essays with curiosity, to think critically with both gratitude and compassion. She openly shares her thoughts on society's ambivalence toward aging while pointing to the material gaps that shape intergenerational conflict. Well aware of the stakes of discourse, Smith acknowledges the enormity of the devastation in Gaza while respecting the ethics of political debate. With sharp prose, she demonstrates why essays matter: They offer the writer a framework to challenge conformity in thought.

I spoke with Smith about her new collection in early October. Below is a lightly edited transcript of our conversation. —Edna Bonhomme

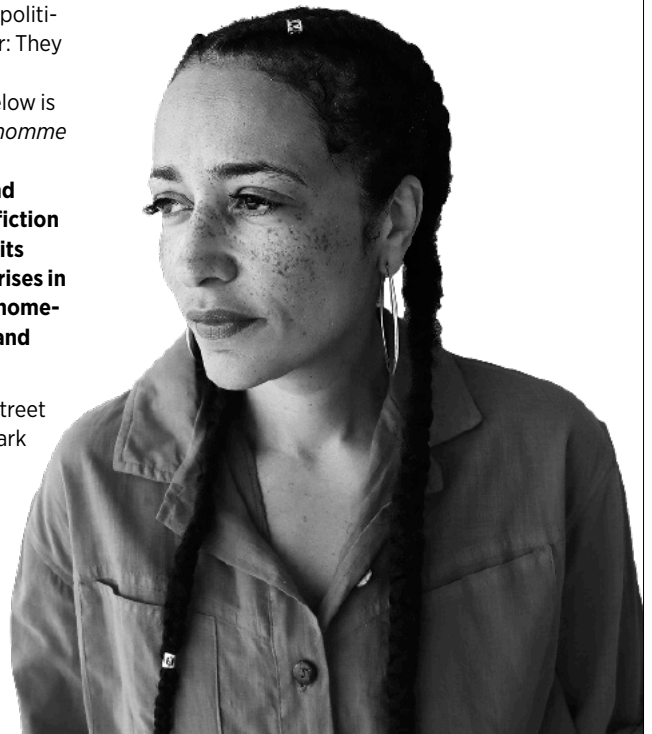
**EB:** You've returned to northwest London, where you grew up and which has been a source of inspiration for your creative and nonfiction work. Langston Hughes's poem "Homecoming" comes to mind: its focus on the pain of lost romantic love and the heartbreak that arises in a familiar setting. What has it been like for you to return to your hometown, which has changed significantly as working-class people and folks of color have been pushed out?

**ZS:** My corner of London feels like a split-screen reality. I live on a street near the one where I was born in Queen's Park, which resembles Park

Slope in New York—a gentrified, affluent neighborhood. Unlike in America, the schools are still run by the government. But if I turn left from my door, I'm in Kilburn High Road—where I also grew up—which is poorer than ever. There's no shortage of Black people when you go left; they're just extremely poor. It's strange to see. When I was younger, my mom ran a sort of youth group—probably for troubled kids or those just out of their homes—in the middle of Kilburn High Road. I spent a lot of my childhood there, surrounded by those kids. This summer, it's all been torn down and replaced by shops. This is depressing, because I grew up in a world with many state-supported opportunities. It's hard to watch things regress and see the middle disappear while the extremes grow more intense at both ends, but it's the same story across Europe.

**EB:** You begin *Dead and Alive* by citing Jacques Derrida's *Of Hospitality*, a collection of seminars he gave that reflects on not just the foreigner as someone outside understanding but the theme of possibility. You write that "this freedom is absolute." In today's world, where foreignness is vilified and criminalized, that kind of freedom of thought doesn't match the reality we face. What was on your mind when you introduced this idea?

**ZS:** To me, it's simply about understanding reality, dealing with it, accepting it, and finding ways to make it more bearable. I don't believe in perfect societies. That's a thing that right-wing thought tends to promote—this idea of absolute perfection in society. I don't believe in that, and I'm not even sure I'd want to live in such a society. I'm interested in what makes people's lives humane and manageable. They can't



**"I'm interested in what makes people's lives humane and manageable."**

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be perfected, but it is within our power to make lives more bearable. And that's what I think about when I consider the immigrant.

My mother was an immigrant, and I believe that when she came here [to the United Kingdom], her life was far from perfect. However, there were systems in place that made our lives bearable and more tolerable for new arrivals than they are now. The little hospitality my mother received has now been revoked.

That's what interests me: people's lack of imagination. If you only believe in ideal states, you don't spend much time trying to build just ones. So I'm always thinking about what can be done and what is reasonable—what kind of hospitality can be offered, what can be understood. What do we owe these strangers, knowing always that the possibility of becoming a stranger is in front of all of us right now? The climate crisis means any of us could be a stranger tomorrow.

**EB: Intergenerational conflict is the focus of your essay “The Instrumentalist,” which discusses the film *Tár*. According to your framing, millennials see your generation as “irrelevant, politically obtuse.” If we accept that blunt and cheeky comment, I wonder how I, as a millennial speaking to you, fit into that. Are there other ways people can communicate across generations to better understand each other's views and experiences?**

**ZS:** To me, it's all about economics and structure. When I think about the generation above me—when we were kids in the '90s—they would talk about the '60s, and our attitude was that it was nice they participated politically through their music, sex, and drugs. We thought they were a little silly, but it wasn't a hateful feeling. Why? Because structurally, we were heading into decent jobs; we had the possibility of housing and a future. So the fact that our elders seemed cringeworthy and ridiculous was OK. I didn't have this kind of existential worry. In contrast, it makes complete sense to me that this generational conflict between millennials [and Gen X] turns violent when the former is wholly cut off from the future that the latter took for granted. It's an economic issue. Of course, it's silly, but I was just interested in the structural, economic causes of that. If there's any violence, it's because your generation [millennials] has been so deeply screwed that the kind of sentimental eye roll I might have had for the generation above me isn't sentimental anymore—it's a matter of life or death.

**EB: The section in the book called “Reconsidering” includes two essays on Palestine: In “Trump Gaza Number One,” you comment on Donald Trump's AI-generated vision of a postwar Gaza, and in “Shibboleth,” which was first published in 2024, you discuss the student protests against Israel's war. You acknowledge that the students deserve admiration, support, and praise, but you also point out that they rely on a series of shibboleths, such as the word *Zionist*, adding: “as if that word were an unchanged and unchangeable monolith, meaning exactly the same thing in 2024 and 1948 as it meant in 1890 or 1901 or 1920.” Can you elaborate on navigating the various spaces of political language amid the physical devastation unfolding?**

**ZS:** The ongoing nature of the language is evident. For example, when Netanyahu describes those who don't

**“I always try to remind myself of human limits—not to be a downer or negative, but because it's the truth.”**

leave [Gaza] as terrorists, he's using language as a weapon, and it's also fantastical. It's as if saying something makes it true. The people who can't leave Gaza now aren't terrorists just because he says they are. That kind of language insults us all—politically, logically, and philosophically.

I'm always aware of this kind of language, primarily when it's used as a weapon to make assumptions on a large scale. To justify killing, those individuals have to be seen as nothing. This is fundamentally a philosophical and linguistic move.

My point, which no one cares about, is that in the pursuit of justice, I don't need to turn anyone into something unrecognizable. I understand why some

want to do that, but when I think of a future where everyone has their full social and political rights in one state, the language that would enable that must evolve. We need to see everyone as human beings, each with their own unique traumas and histories.

When I wrote the “Shibboleth” piece, I was just reading: There was a particular student at that time, he was [at] Columbia, and he stated that Zionists don't deserve to live. Someone asked, “Do you see anything wrong with that?” And he said, “No.” And that's absolutely within his right to say, but for me, that rhetoric isn't OK. The content of politics is how to keep more people from dying. That's the first job. Then there are many other jobs after that—stop selling these weapons, prevent these people from being killed. If I didn't speak in the form that others want, I'm sorry, but my principle is that I don't believe the fight for justice has to involve minimizing anybody's pain.

**EB: The book also includes an essay called “Agelessness.” Why did you think it was important to talk about aging and how you are undergoing that?**

**ZS:** I'm always intrigued, especially in the West, by how people think about age. Many people, particularly in America, have a very distorted view of aging. When I was 47, if I said I was middle-aged, an American would say, “Don't say that.” I'd ask, “What do you mean? How old do you think we're gonna live? If that isn't middle age, then what is?” I then realized that people can genuinely ignore a lot of reality. It's crazy. I didn't even realize how fast I would turn 50. I blinked, and I was 24; now I'm 50. Some Americans think they won't get old, or even more, believe they won't die. Some of the supposedly more intelligent Americans really think death can be defeated. That's wild, because if they believe that, they'll do anything.

I always try to remind myself of human limits—not to be a downer or negative, but because it's the truth. Societies can't be perfect. You will die. Everyone ages. These are simple ideas, and they shouldn't even be unusual to say.

**EB: In your section on mourning, you cite Joan Didion and discuss how to reckon with the emotional weight of bereavement.**

**ZS:** I believe American society is unaccustomed to handling death sensibly, and when it happens, it feels overwhelming. There's distant death, always foreign death, always poor people dying somewhere else. But not in America. When I returned to England [after living in New York City], I felt like I was back where people accept that they will die, and that was a relief.



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## Letters

### First Time as Tragedy

Re “These Dis-United States” [160th Anniversary Issue, July/August 2025]: Congratulations are in order to *The Nation* for being a thorn in the side of authoritarianism for 160 years. I was disappointed, however, that there was no mention of *The Nation’s* reporting on the Alger Hiss case (which, thanks to Carey McWilliams and Victor Navasky, is part of the magazine’s legacy) and the publication this year of evidence establishing his innocence. My new book, *Rewriting History: A Fifty-Year Journey to Uncover the Truth About Alger Hiss*, not only exonerates him, but it ties what’s going on today to the anti-communist hysteria of the

1940s and ’50s, when the right used Hiss as part of an attempt to destroy liberalism and civil liberties in this country. Sound familiar?

JEFF KISSELOFF  
TUCSON, AZ

### Worth the Price?

The ad from Negative Population Growth that ran in the July/August 2025 issue demands comment. I understand that it also ran in *The Washington Times* and the *Washington Examiner*. Those papers are right-wing; *The Nation* is a left publication. Yet your acceptance of this ad puts you in league with those who are vociferously advocating for the ethnic cleansing of immigrants. Among its other proposals to “reverse immigration-driven population growth,” the ad states, “NPG

further believes that illegal immigration can and must be stopped entirely.” It may as well have been written by Stephen Miller or Kash Patel. I cannot believe that *The Nation* would accept an advertisement from this group, no matter how much it pays.

On its own, the ad is horrific. But as ICE agents are violently seizing and arresting immigrants off the street, kidnapping them from their homes, chasing them down in agricultural farms and factories, the ad becomes that much more reprehensible. Will *The Nation* run a retraction? A public self-criticism? Anything less would be unacceptable.

BRUCE HOBSON  
GUANAJUATO, MEXICO  
*The writer is co-coordinator of the Mexico Solidarity Project.*

### The Nation Replies

As the child of immigrants—and as someone with family members who have been

subjected to deportation—I could not disagree more strongly with the xenophobic and Malthusian message of the Negative Population Growth advertisement. *The Nation* has long stood for immigrant rights, and that commitment is unwavering. That said, we believe readers of *The Nation* are capable of distinguishing between our editorial stance and paid advertising. Our ad policy has stood since it was written by Victor Navasky in 1979. We publish controversial ads because we trust our audience’s intelligence and judgment, not because we endorse the views expressed. Now, as in 1979, readers of *The Nation* should expect that we will at times “accept advertising even if the views expressed are repugnant to those of the editors.”

BHASKAR SUNKARA  
President, The Nation  
NEW YORK, NY

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# THE RIGHT IS LYING ABOUT LEFT-WING VIOLENCE

The Trump administration is using an imagined enemy — “antifa” — to justify turning ICE into a violent, unaccountable army invading US cities.

REBECCA SOLNIT



**Shock and awe:** Anti-ICE protesters clash with federal agents at the Immigration and Customs Enforcement building in Portland, Oregon.

**T**

HE NO KINGS PROTESTS ON OCTOBER 18 WERE HUGE, ASTONISHINGLY nonviolent, and massively widespread. There were more than 2,700 gatherings across the nation and beyond, not just in major cities and blue regions but in small towns and red regions. The people who marched carried flags and signs proclaiming their patriotism and love of country, taking both symbol and identity back from the right.

And echoing the subversively festive protests against ICE in Portland, Oregon, inflatable costumes were everywhere—as were frogs, which had been adopted as a symbol by the far right but are now icons of progressive anti-Trump activism.

All the mild-mannered middle-aged and elderly people, kids, veterans, flag-wavers, and inflatable unicorns and eagles marching peacefully should undermine claims from Donald Trump and Mike Johnson that No Kings was a pitiful display of extremism by a marginalized minority. But it won't stop them from screeching about antifa, which the Trump administration has officially designated as a domestic terrorist organization. Secretary of Homeland Security Kristi Noem even claimed to have arrested in Portland “the girlfriend of one of the founders of antifa.” Antifa has never been an actual organization, just a contraction of the term *anti-fascist* (which of course raises the question: If you're anti-antifa, aren't you pro-fascist—or just fascist?). But the right has been claiming that the left is full of violence and terrorism even longer than it's been hallucinating about antifa.

An authoritarian is nothing without an enemy to justify his brutality. Such a leader often resorts to imaginary or grossly exaggerated opponents, or casts an already marginalized minority as a malevolent threat. Trump and his supporters portray immigrants and the left, and anyone standing up against ICE, that way. Authoritarians routinely hype the peril we will be in if the enemy is not quashed, and that quashing customarily and conveniently requires a suspension of laws, a violation of rights, a seizure of power, or all of the above. Right now, it's being used to claim emergency power and justify turning ICE into a violent, unaccountable army invading American cities.

Some pundits and scholars who should know better are getting on board with the idea that there's a surge in left-wing violence. A recent report by the avowedly bipartisan Center for Strategic and International Studies (CSIS) on “left-wing terrorism” begins, “In recent years, the United States has seen an increase in the number of left-wing terrorism attacks and plots, although such violence has risen from very low levels and remains much lower than historical levels of violence carried out by right-wing and jihadist attackers. So far, 2025 marks the first time in more than 30 years that left-wing terrorist attacks outnumber those from the violent far right.” You have to scroll way down in the report to find that the supposed increased number of left-wing terror attacks amounts to five incidents in 2025, some of them questionably from the left.

Amusingly, White House deputy press secretary Abigail Jackson tweeted a chart from an article about the CSIS report that shows clearly that there has been far more right-wing terrorism over the years. Nevertheless, *The Atlantic* saw fit to let the authors of the study cowrite a spin-off article, titled “Left-Wing Terrorism Is on the Rise,” that pumps up the idea that this phenomenon is a significant concern. But the study leaves the critical questions unanswered: What is the left? What counts as violence? Are whole political affiliations responsible for the acts of individuals? And why has the massive surge of right-wing violence over the past decade become so normalized?

The study offers an impossibly broad definition of left-wing terrorism as motivated by “support for LGBTQ+ rights; support for environmental causes...or ‘anti-fascist’ rhetoric.” Support for those causes could include a lot of the mainstream, some conservatives, some Girl Scout groups, and most queer

people. In the No Kings marches, much was made of the revered anti-fascists of yore, in the “my grandfather fought fascism at Dunkirk” mode.

The overly broad characterization of the left leads to the inclusion of perpetrators who don't seem much like leftists. One incident the study discusses extensively is the assassination of Charlie Kirk, allegedly by Tyler Robinson. The authors acknowledge that “details about Kirk's alleged killer are still emerging” but claim that it is “likely” that the killing will be considered a “left-wing terrorist attack.” But Robinson, 22, was brought up by a Republican and Mormon family who taught him marksmanship; he is supposed to have used a gun that belonged to his grandfather. Apparently, Robinson is assumed to be on the left simply because he loathed Kirk and reportedly had a trans partner. The study also discusses the arson attack by Cody Balmer, the Army veteran who last April broke into the grounds of the Pennsylvania governor's mansion and set it afire while Governor Josh Shapiro and his family slept. Although Balmer said he was angry about Gaza, antisemitism may have also played a role in his deciding to try to burn alive a US Jewish family for Israel's crimes. But it seems unlikely that political ideology was the driving force behind this attack. Balmer also had bipolar disorder and schizophrenia, according to his mother—who had sought help for him just before the attack—and had a history of domestic violence. Luigi Mangione, who is charged with murdering a healthcare executive in late 2024, is likewise described in the article as left-wing. Yet a friend of Mangione's told a journalist that Mangione was “left-wing on some things and right-wing on others”—for instance, “he was pro-equality of opportunity, but anti-woke: for example anti-DEI (and) anti-identity politics.” It's a stretch to describe any of these people as having a genuine commitment to leftist ideals and movements.

The CSIS report declares, “Radicals will argue that peaceful politics will inevitably fail and that only violence will make a difference.” Who are these radicals? They're not identified.

*Rebecca Solnit is a historian and an activist who has written more than 25 books.*



MATHEU LEWIS-ROLLAND / GETTY IMAGES

In 40 years of observing and working with direct-action organizing, I've encountered theoretical enthusiasm for violence only from the sidelines and the occasional young hothead. As the CSIS study backhandedly admits, left-wing violence has been extremely rare and out of step with the larger progressive community for decades, which is why its authors had to make the most of five iffy incidents earlier this year.

What too often gets described as left-wing violence at protests is property destruction, which can be dangerous and intimidating and is usually opposed by protest organizers, but should be regarded as distinct from harming human life. For example, at the 1999 protests against the World Trade Organization in Seattle, a small cadre among the 50,000 protesters smashed a lot of shop windows quite spectacularly. But there were few if any reports of activists harming human beings. Police, on the other hand, used tear gas, pepper spray, rubber and wooden bullets, flash-bang grenades, and armored vehicles against protesters, resulting in many injuries. This event was portrayed by many mainstream media outlets as an occasion of shocking activist violence.

More recently, conservatives have decried the Black Lives Matter protests of 2020 as violent. It's true that there were a handful of riots involving vandalism and retail theft early on in that long, hot pandemic summer of George Floyd, but riots are not protests, and the protesters at these monumental demonstrations that went on for months across the nation were overwhelmingly nonviolent against the living and not involved in property destruction.

It was striking that in the immediate aftermath of the murder of Charlie Kirk, the founder and leader of Turning Point USA, the country's largest right-wing youth organization, Democrats and leftists were accused of culpability merely for disliking him or disagreeing with his views. (Six foreigners who were insufficiently reverent about Kirk's death had their visas revoked by the Trump administration, and this official act follows on all the unofficial hounding of anyone with anything bad to say about Kirk, demonstrating the seamlessness between the administration and the mobs and influencers of the right.)

**Rising up:** Massive crowds came out for the No Kings marches on October 18, not only in blue states and cities, like the one pictured here in Los Angeles, but also in red regions across the country.

Progressive groups know that they are at risk of being accused of being terrorists, and that is in part why their public espousal of nonviolence is strategic as well as a genuine reflection of their values. Indivisible and the other organizers of No Kings made it clear that nonviolence and the de-escalation of any conflict initiated from outside were core parts of the agenda and trainings. Of course, some newcomers to progressive movements and others impatient with the pace of change see violence as effective because it seems direct and impactful, though the record shows that in this country, in this era, it often backfires and seldom succeeds in generating meaningful or lasting change. That is a particular risk in this era. ICE, on behalf of the Trump administration, is thought to be seeking to provoke the kind of violent response that would justify an escalation of the invasion of cities and the violation of rights.

We saw this in earlier moments of mass protest, including during the Black Lives Matter protests, when some notable incidents of violence turned out to be false-flag operations by right-wing groups, including the murder of one guard and the injuring of another at an Oakland federal building by Air Force Staff Sgt. Steven Carrillo, who

was associated with the far-right Boogaloo Bois, and another Boogaloo Boi incident in which a member fired shots into a police station in Minneapolis. Other right-wing violence at the BLM protests in 2020 included incidents of driving cars into crowds and the double homicide in Kenosha, Wisconsin, by Kyle Rittenhouse, who subsequently received massive support from right-wing donors and Republican politicians (including Trump). But like the Seattle WTO protests 20 years earlier, the 2020 BLM protests themselves are routinely described as violent.

**N**O SUCH DEMANDS FOR ABSOLUTE NONVIOLENCE are placed on right-wing groups. Kirk himself had hardly been held accountable for Turning Point USA's targeting of hundreds of educators, which has led to years of campaigns of

harassment, including death threats. One such campaign, which targeted the Rutgers history professor Mark Bray, grew so menacing that this October the professor fled to Europe with his family. In September, the *Chicago Sun-Times* reported that "since landing on the list, some professors have gotten hateful emails, online messages and letters threatening

rape or death, and in some instances, have seen that activity intensify since Kirk's death."

As someone who writes mostly about violence in the context of violence against women, I find that the most overlooked aspect of violence of any kind is the sense of entitlement that accompanies it, the idea that the perpetrator has the right to harm and even take a life. Such arrogance is at odds with many left-wing ideas about human rights, equality, and justice. Many of us on the left oppose the death penalty not only because it's unequally applied but because it's homicide. Arguably, violence itself is a political position that fits in better with justifications of inequality, including male dominance and machismo, militarism, and authoritarianism.

The ranks of the left include many groups whose members have a strong moral opposition to violence, including Buddhists, Quakers, and others whose religions preach nonviolence; gun-control activists; anti-war activists; and anti-death-penalty activists. Anand Girdharadas wrote in the aftermath of Kirk's murder:

Democracy is, in the beginning and in the end, a belief that we can live together



**What too often gets described as left-wing violence at protests is property destruction, which is distinct from harming human life.**

despite difference and choose the future together. It is a beautifully reckless idea, because it is hard enough for a family to decide what to have for dinner. But it works; in fact, it works better than all the other systems. It is built on the idea that the way to change the world around you is to try to change others' minds.

If you wholeheartedly believe that, you don't believe in violence as a legitimate political tool in civilian life.

"The sudden decline in right-wing terrorism is both more striking and harder to explain," says the CSIS report, but I think it's easy: The Trump administration is doing would-be right-wing terrorists' work for them by terrorizing and attacking their enemies. Why would they risk life and liberty to assault women, trans people, religious minorities, immigrants, and non-white people when the government will do it instead? For decades, the anti-abortion movement stoked lethal violence, which led to murders, mostly of doctors and other employees at facilities that provide reproductive care, as well as the harassment of women seeking services. In June, a far-right anti-abortion advocate assassinated former Minnesota House speaker Melissa Hortman and her husband and shot state Senator John Hoffman and his wife, who survived. A list of Democratic politicians that was found in his car suggests he intended to kill far more, but he was apprehended and awaits trial. (This is the one incident chalked up to the right in the CSIS report's tally of right-versus-left terrorism in the first half of 2025.)

But now those extremists' goal has been ratified at the highest levels: The justices whom Trump nominated to the Supreme Court secured the overturning of *Roe v. Wade*, and Republican state governments are now criminalizing miscarriages and scaring medical workers out of providing even life-saving care to pregnant women. The Trump administration is committing thousands upon thousands of acts of terrorism against immigrants domestically, taking rights away from trans youths, and promoting white supremacy, as well as blowing up civilians in ships in the southern Caribbean in violation of international law. The threat is coming from inside the (White) House, but the CSIS report doesn't include state terrorism. On the other hand, a critique of the report from scholars at the research and news site *Just Security* argues that it

overlooks a lot of far-right terrorism to reach its claim that in the first half of this year, the left outdid the right.

The January 6, 2021, attack on Congress involved a convergence of violent groups who gouged, speared, sprayed, slugged, and otherwise beat members of the US Capitol Police, vandalized parts of the Capitol Building, and sought to attack and possibly assassinate elected officials. It should be forever shocking that the insurrectionists who had been convicted of crimes were pardoned by Trump upon his return to office, and that the man who instigated the rampage is now president. Right-wing violence is at an all-time high, and it now comes directly from the White House (and a pardoned January 6 berserker has been rearrested for death threats against House minority leader Hakeem Jeffries).

There are numerous reports of death threats against Republican politicians, particularly those in Congress, that keep them in line with Trump's agenda, and some have spoken out about the fear they live under. There's no firewall between the Trump administration and the forces of right-wing terror. And that points to something essential about violence: It's a way of making people do something they don't want to do or stopping them from doing something they do want to do. It's a tactic by those whose ability to get people on board by peaceful means has failed, who have given up the democratic processes of persuasion and coalition-building that Giridharadas wrote about.

**L** EFT-WING VIOLENCE LARGELY FAILED IN THE 1960S AND '70S, WITH THE SYMBIONESE Liberation Army and the Weather Underground demonstrating that small groups using lethal violence were outliers and burdens for the movements they claimed to represent (the SLA, it should be said, was in essence a misguided cult). An overlooked aspect of 1970s radical politics, beautifully documented in L.A. Kauffman's book *Direct Action*, was the rise of nonviolence as a strategy and an ideology, and the ways in which trainings were paired with processes meant to democratize decision-making within activist groups. Nonviolent activism can genuinely change the world and often has changed this country, from the abolitionist movement to the climate movement. Acknowledging the power of protest means acknowledging that the protesters are thereby legitimately dangerous to the status quo. Recasting protesters as dangerous in the sense of criminal has long been used as a strategy to undermine that legitimacy and to justify suppressing protest.

Unfortunately, feature filmmakers love left-wing-violence plots. One way to explain it is that secret gun-toting guerrilla groups, shootouts, explosions, car chases, hunted fugitives, and the rest work well—for movies, whose only job is to hold our attention for a couple of hours. To actually change the world usually takes years, even decades, and requires collective work to build coalitions, shift public opinion, or pass legislation, which happens through stuff like meetings, lawsuits, protests and public events, more meetings, and fundraising. I've seen climate and Indigenous and feminist and queer-rights victories following the underlying shifts in public opinion: none of it at the point of a gun, all of it from the kind of often tedious, sometimes exhilarating work of peaceful activism. I yearn for more films that show how the world actually does get changed—and less nonsense about violence on the left. **N**

**The Trump administration is doing would-be right-wing terrorists' work for them by terrorizing and attacking their enemies.**

**Terrorism from the top:** Federal agents detain a person after he attended a hearing at an immigration court in New York City.



THE

# CAMPAIGN TO

# FREE

How a globe-trotting attorney is trying to win the release of the famed Hong Kong publisher.

LIAM SCOTT

# JIMMY LAI

# O

IN A SUNNY TUESDAY AFTERNOON IN JULY, CAOILFHIONN GALLAGHER APPEARED BEFORE MEMBERS OF THE Senate Foreign Relations Committee wearing a “Free Jimmy Lai” pin on the lapel of her burgundy suit. She was in Washington to testify on the decline of human rights and democracy in Hong Kong.

“That topic and the fate of one man are inextricably linked: my client, Jimmy Lai,” Gallagher said in her opening remarks. Lai, a 78-year-old businessman and publisher of a pro-democracy newspaper, has been held in solitary confinement in Hong Kong since late 2020. A British national, Lai has been on trial since late 2023 and faces life imprisonment for allegedly colluding with foreign forces as well as for sedition. The governments of multiple countries, including the United States, say the charges against him are politically motivated. Addressing the senators, Gallagher described the poor conditions in which Lai is being detained and expressed alarm about his declining health, which she said has been exacerbated by inadequate medical treatment for diabetes. (Hong Kong authorities have rejected claims that Lai is denied specialized medical care.)

Lai’s case, Gallagher told the senators, represents the decline in freedom of the press and the rule of law in Hong Kong since Beijing imposed a harsh national security law on the territory in 2020. Rights groups say that, under the guise of safeguarding public order, the law created four political crimes: secession, subversion, terrorism, and collusion with foreign forces. To prosecute these purported crimes, the government has cracked down on independent media and the pro-democracy movement. Washington has long been hawkish on China, and as the United States renegotiates its relationship with the country under President Donald Trump, Gallagher appealed to this sentiment, cautioning against trusting Beijing as long as it imprisons Lai. “Mr. Lai must be released before China is taken seriously as a credible negotiating partner,” she said.

Gallagher, who lives in London, leads Lai’s international legal campaign. A veteran human-rights lawyer, she’s made a name for herself representing journalists at the center of high-profile press-freedom cases. But while her strategy in Lai’s case is grounded in

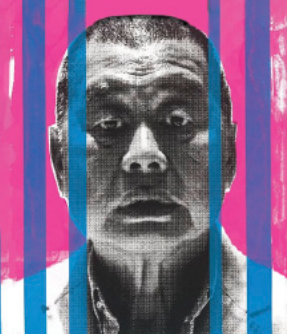
international law, the campaign to secure his release relies more on advocacy than on legal challenges. When journalists are jailed in places where the courts are no longer fair, she explained, the campaigns to free them must take place largely in the public sphere to have any chance at success. This becomes all the more important when the persecution is designed to make an example out of a prominent figure and intimidate other journalists and activists, as Gallagher believes is the case with Lai.

Throughout Gallagher’s extensive efforts to free Lai, she has never set foot in court. Hong Kong authorities have suggested that she and her colleagues at Doughty Street Chambers wouldn’t be permitted to enter Hong Kong—and if they somehow did, Gallagher worries they would be arrested. Even if she could go to Hong Kong, it wouldn’t make a difference in Lai’s case, Gallagher told me: “The deck is completely stacked against him. It is all very well making arguments about violations of international law in the Hong Kong courts, but that is shouting into the wind.”

The court has interfered in the case from the beginning, when it blocked Lai from being represented by his preferred lawyer, a foreign national who required special permission under the national security law. (Gallagher does not interact with the team that handles Lai’s defense in Hong Kong.) And

*Liam Scott is an award-winning journalist who covers media and democracy.*





since Lai is charged under that law, the Hong Kong government was allowed to handpick the case's three judges and prevent Lai from being tried before a jury. He has also been denied British consular access because China does not recognize his British citizenship. As of early August, 96 people had been charged under the national security law; of them, 76 had been convicted and only two acquitted. Some cases, like Lai's, are ongoing. "If you're

charged with a national security crime, you're going to be convicted," said Thomas Kellogg, the executive director of the Center for Asian Law at Georgetown Law School.

Gallagher joined the case in 2022, when Mark Simon, Lai's longtime business associate, hired her to lead the international legal campaign on the recommendation of another client of Gallagher's, Maria Ressa, the Filipino and American Nobel laureate who is fighting a lengthy legal



## While Gallagher's strategy is grounded in international law, the campaign to secure Lai's release relies more on advocacy.

battle in the Philippines over her journalism. Since then, it seems, Gallagher has been constantly jetting around the world to advocate for Lai, meeting with lawmakers, world leaders, and government officials in cities like Geneva, Oslo, New York, and Toronto. I've watched her wage this campaign from the halls of Congress, Parliament, and the United Nations to airport lounges, hotel lobbies, and even the back seats of taxis. Along the way, Gallagher has honed her message, tailoring her argument to her audience. ("You've got to think about what would make this person most interested in this case," she told me

**In the name of the father:** Sebastien Lai, son of Jimmy Lai, outside 10 Downing Street in London, September 2025.

as she prepared her remarks for the Senate hearing.) The campaign's central goal, Gallagher said, is to force Beijing to shift its calculus so that it comes to view detaining Lai as more trouble than it's worth.

Even though Lai is a British citizen, the United Kingdom was slow to defend him after he was detained, Gallagher said at the Senate hearing. By contrast, the United States, across two administrations, has offered bipartisan support for Lai. The Biden administration called for his release, and in October 2024, Trump said he would "100 percent" be able to get Lai released if he were reelected. "He'll be easy to get out," Trump said at the time. (In response to a request for comment, a White House spokeswoman reiterated Trump's calls for Lai's release but did not address what specific actions, if any, Trump was taking.) In Gallagher's final remarks at the hearing, she urged the senators to push for coordination between the American and British governments on Lai's case. She also asked them to encourage Trump to pressure British Prime Minister Keir Starmer to make Lai's release a condition of the UK's engagement with Beijing.

**L**AI'S LIFE STORY IS EMBLEMATIC OF HONG KONG'S TRAJECTORY FROM A BASTION of democratic values to a de facto extension of mainland China. Born in Guangzhou, China, in 1947 during the civil war between Chiang Kai-shek's Kuomintang and Mao Zedong's Communist Party, Lai fled to Hong Kong as a stowaway on a boat when he was 12 years old. A British colony at the time, Hong Kong was experiencing significant economic development. Lai worked as a child laborer in a garment factory before rising to the post of manager. He eventually bought a bankrupt factory and started the successful clothing retail chain Giordano. As Hong Kong developed into an international financial

hub, Lai's company also grew. A savvy businessman who supported free markets and personal liberty, Lai's political philosophy tilted toward libertarianism. A few years after founding his first retail chain, he was being chauffeured in a Rolls-Royce and had a private zoo.

Lai founded *Next Magazine* in 1990, one year after the Tiananmen Square massacre, when the Chinese military violently crushed pro-democracy protests in Beijing. "I didn't feel anything about China until Tiananmen Square happened," Lai said in a 2023 documentary about his life. "Suddenly it was like my mother was calling me in the darkness of the night and my heart opened up." Lai then established the *Apple Daily* newspaper in 1995, two years before the United Kingdom's lease on Hong Kong ended and the territory was handed back to the Chinese. Under the "one country, two systems" framework, the deal was supposed to grant Hong Kong considerable autonomy, including freedom of speech. But Beijing eventually began to exert more control over the territory.

In 2014, Beijing announced that it planned to implement a new election policy that would allow Hong Kongers to choose among just a few candidates, preapproved by China, for Hong Kong chief executive, the head of the territory's government. Hong Kongers took to the streets to protest

in what became known as the Umbrella Movement. Five years later, in 2019, large protests erupted after the Hong Kong government proposed a law allowing extraditions to mainland China. The Legislative Council ultimately withdrew the bill, but pro-democracy protests continued. In response, Beijing imposed the national security law on the city in 2020. The law marked the beginning of a severe erosion of the independence of Hong Kong's judiciary and led to the closure of several news outlets. "The 'one country, two systems' framework is now total-

ly broken," Kellogg said. Hong Kong's court system hasn't completely turned into the mainland's, he added, "but it's a shadow of its former self."

Over the years, *Apple Daily* endured advertising boycotts and firebomb attacks, but it persevered as one of Hong Kong's most-read newspapers. It supported the pro-democracy protests and advocated for greater political freedoms in the city. The tabloid also had a history of criticizing Beijing, including its human-rights record, and of exposing corruption in Hong Kong. Under the national security law, that record of independent criticism meant *Apple Daily* quickly became a target.



Soon after Beijing imposed the law, Hong Kong authorities arrested Lai and other top *Apple Daily* editors, froze millions in the newspaper's assets, and, in 2021, forced it to shutter. Through it all, Lai has maintained his innocence. "The core values of *Apple Daily* are actually the core values of the people of Hong Kong," he testified in November 2024. Separate from the ongoing national security case, Lai was convicted of unlawful assembly for attending "unauthorized" pro-democracy protests in 2019 and 2020, and he has also served about half of a nearly six-year sentence for alleged fraud. Rights groups say those charges are politically motivated as well.

Just as his business success echoed Hong Kong's development, Lai's plight reflects the rapid deterioration of media freedom in the territory. In 2019, before the national security law was imposed, Hong Kong ranked 73 out of 180 countries on the World Press Freedom Index; by 2025, it had dropped to 140. "Hong Kong is rapidly going in the direction of China, where there's no press freedom," said Aleksandra Bielakowska, an advocacy manager at the Reporters Without Borders office in Taiwan. (Bielakowska was deported from Hong Kong in 2024 when she traveled there to monitor Lai's trial.) Lai is one of more than 1,900 political prisoners in Hong Kong, according to the Washington-based Hong Kong Democracy Council. A billionaire at one time, Lai had the means to flee Hong Kong and knew he would likely be imprisoned if he didn't. Simon said he spent months trying to persuade Lai to escape to Taipei or London, but "the boss," as Simon still calls him, always refused. Lai stayed because he felt a duty to defend Hong Kong. In doing so, activists say, he became a symbol of the pro-democracy movement.

**T**HE MOST SERIOUS CHARGES LAI FACES FALL under the national security law and come with a potential life sentence. Lai has been accused of two counts of "conspiracy to collude with foreign forces" to undermine Beijing's authority over Hong Kong. Prosecutors allege that Lai asked the United States and other countries to impose sanctions or "engage in other hostile activities" against China and Hong Kong in response to the crackdown on the pro-democracy movement.

In court, prosecutors asked Lai about his links to dozens of foreign individuals, including activists, academics, journalists, former Taiwanese president Tsai Ing-wen, and Donald Trump. Prosecutors also pointed to Lai's 2019 meetings in Washington with US officials, including then-Vice President Mike Pence, then-Secretary of State Mike Pompeo, and then-House Speaker Nancy Pelosi.

Lai doesn't deny those high-profile connections, but he said they don't amount to foreign



collusion. He testified in 2024 that he never tried to influence foreign policy on Hong Kong or China through the officials he met overseas or asked them to take action against either party.

In the United States, the Hong Kong pro-democracy movement has enjoyed bipartisan support for years; Lai's supporters likewise hail from both sides of the aisle. Pelosi, who met the businessman in 2019 and now calls him a hero, told me recently, "Jimmy's case is really a case about courage. This is a martyr for democracy." Republicans agree. "He's so committed to his fellow Hong Kongers and to human rights in general," Representative Chris Smith, a New Jersey Republican, told EWTN, the Catholic media network, in August.

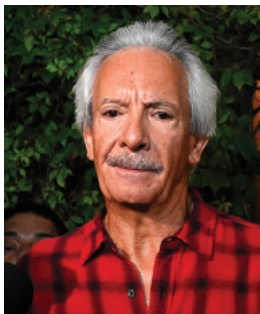
Lai's cause is helped, some China experts told me, by the fact that US lawmakers like being tough on Beijing, and citing its poor human-rights record is one way to do that. In September, in a letter to Marco Rubio, a bipartisan group of senators urged the secretary of state to do more to secure Lai's release. "Mr. Lai's imprisonment has galvanized both Democrats and Republicans in the United States and sparked concern around the world, underscoring the need to act now," they wrote.

In addition to being accused of "conspiring" with foreign forces, Lai has also been charged under a colonial-era law for "conspiracy to publish seditious publications." For this charge, prosecutors cited more than 150 *Apple Daily* articles—several of which Lai himself wrote—as examples of "seditious publications." In one 2019 article cited by prosecutors, Lai wrote that if the extradition law passed, another "June 4th massacre" could happen in Hong Kong, referring to the 1989 Tiananmen Square massacre. "All I said in this article was the true reflection of the facts I perceived," Lai testified in November 2024. "And the true thoughts of my heart, without any sense of hostility or intention to be seditious. And this goes for all my other articles." As someone who supported peaceful protest, Lai told the court that he opposed violence. He also testified that he viewed advocating for Hong Kong's independence as "a reality too crazy to think about" and banned discussion of it by his paper and staff.

**Speech acts:** Jimmy Lai at a Hong Kong pro-democracy protest in 2019.



**Just as Lai's business success echoed Hong Kong's development, his plight reflects the rapid deterioration of media freedom there.**



protected under international law. The finding also said Lai's detention violated his right to a fair trial. "The appropriate remedy would be to release Mr. Lai immediately," the UN body said. The Chinese and Hong Kong governments did not reply to the working group's requests for detailed information on Lai's case and for clarification on the legal provisions being used to justify his detention.

That designation of arbitrary detention was the result of nearly two years of intense work by Gallagher and her colleagues. The Working Group on Arbitrary Detention is little-known outside international law circles, but its obscurity belies its significance. The determination was a major win for the campaign, Gallagher said, because it meant that, at least in theory, it had proved its case: that Lai's imprisonment violated international law.

Although a positive development, the designation by itself was never going to be enough to free Lai, because there is no way to compel Hong Kong to release him. "Winning the argument on paper still results in Jimmy behind bars," Gallagher told me. But the designation is nonetheless an important element of the campaign; the team needs it to prove to governments like the United States' that Lai is being arbitrarily detained in order to justify their taking action on his behalf.

When it comes to arbitrary detention, some governments are transparent about what they want in exchange for a prisoner's freedom, Gallagher told me. Russia, for instance, is upfront about asking for prisoner swaps. In 2024, Evan Gershkovich, a *Wall Street Journal* reporter who was imprisoned by Russia for nearly 18 months on espionage charges, was released in a prisoner exchange that included a convicted Russian state assassin held in Germany. And Iran isn't shy about asking for money. But over the years, Gallagher has learned that Beijing is much less forthcoming about what it wants, which makes it harder for the legal team to figure out what levers they should pull to get Lai released.

"You're operating in the dark," said Martha Spurrier, another lawyer on the team. "It's not about silver bullets. It's about lots and lots of jigsaw pieces of a very big puzzle."

**R**AISED IN DUBLIN, IRELAND, GALLAGHER has worked as a barrister at Doughty Street Chambers in London for more than two decades. Earlier in her career, she worked on human-rights cases in the United Kingdom, including one in which she represented bereaved families and survivors of the July 7, 2005, suicide attacks targeting commuters on London's public transport system. She eventually began taking on international cases, and a few years ago, she decided to focus solely on major international cases like Lai's.

Lai's trial was expected to last about 80 days, but it has been drawn out by multiple delays. Sometimes the judges haven't given a reason; other times, they've pointed to bureaucratic issues like scheduling conflicts. Gallagher believes the delays are also intended to make journalists and foreign governments forget about Lai and stymie the campaign's momentum. "It's more and more difficult to get engagement when there isn't an obvious news hook," she said. In my own experience covering Lai over the past few years, I reported on his case mainly during key moments in the trial and when the international legal team visited Washington, where I'm based, to lobby the US government. After a six-month delay, final arguments in the trial were set to begin on August 14, but the court postponed the hearing by a few days after Lai's defense said he was experiencing heart palpitations.

In a nearly 700-word e-mailed statement, a Hong Kong government spokesman said human rights "have always been robustly guaranteed," including media freedom. "The rule of law in Hong Kong is strong," the spokesman said. "These principles also apply no differently in the case of Lai Chee-ying," he added, referring to Lai by his Chinese name.

Any statements that the Hong Kong government believes are intended to interfere with Lai's case are "very likely to constitute the offence of criminal contempt of court or the offence of perverting the course of justice," the spokesman said.



## It helps that US lawmakers like being tough on Beijing, and citing its poor human-rights record is one way to do that.

**The advocate:** Above, Caoilfhionn Gallagher with her client Maria Ressa at the Clooney Foundation for Justice's Albie Awards; Guatemalan publisher José Rubén Zamora; and murdered Maltese journalist Daphne Caruana Galizia.

**I**N NOVEMBER 2024, DAYS BEFORE Lai began testifying in his trial, Gallagher prevailed in her argument before the UN Working Group on Arbitrary Detention, which ruled that Lai was being unlawfully and arbitrarily detained in Hong Kong. Established in 1991, the working group, a quasi-judicial body composed of human-rights experts, considers the deprivation of liberty to be arbitrary if it falls under at least one of five categories, including if the detention is retaliation for the exercise of rights protected under international law or if international norms regarding fair trials are being ignored in a way the group deems severe.

In its opinion, the group stated that Lai's imprisonment amounted to arbitrary detention because he had been arrested and detained as punishment for exercising his rights to freedom of expression and peaceful assembly, both of which are

Alongside her colleague Amal Clooney, Gallagher represents Ressa, the journalist who has faced several decades in prison in an ongoing case in the Philippines over alleged cyber libel and financial crimes, which she denies. Gallagher also represents the imprisoned Guatemalan publisher José Rubén Zamora, who is being targeted with money-laundering charges, and the family of Daphne Caruana Galizia, the Maltese journalist who was assassinated with a car bomb in 2017. Gallagher is drawn to these types of cases because they underscore systemic press-freedom issues; the attacks on prominent figures are designed to undermine the entire media ecosystem in the country in question, she explained.

Figuring out how to get justice for targets of state suppression requires both luck and ingenuity. In her work on Caruana Galizia's assassination, for example, Gallagher relied on an esoteric piece of Maltese legislation to pressure the government to launch a public inquiry. Had she followed the standard legal path, it would have taken nearly a decade to achieve a semblance of justice for the journalist's murder.

**O**N A RAINY DAY IN MAY, GALLAGHER and her colleague Tatyana Eatwell traveled from London to Geneva, the home of the UN Human Rights Council, to advocate for Lai. Their first stop was the British Mission, which was hosting an off-the-record briefing by Gallagher and Eatwell for nearly 20 states on the latest developments in Lai's case. In these kinds of meetings, Gallagher said the goal is to persuade states to publicly raise Lai's case during Human Rights Council sessions to put more pressure on China, which cares deeply about its reputation within the UN system, especially regarding human rights. "This kind of preparation work is key," Gallagher said. In the lobby, a British Mission staffer told me I couldn't observe the meeting, because the other states didn't want China to know they had attended.

After the briefing, we took a taxi to a nearby café, where Gallagher and Eatwell met with a staffer from the UN Human Rights Office who works on China. Both meetings took place outside UN buildings because the various missions and the UN staffer were worried about potential repercussions if Chinese officials spotted them with Gallagher. The UN staffer sat facing the door so he could watch who entered the café. "Even the UN buildings themselves don't feel safe when you're talking about this case," Gallagher said.

Gallagher and her colleagues have faced numerous threats for representing Lai. Chinese officials have called them criminals and threatened them with prosecution, so the team avoids traveling to countries that have extradition agreements with China. In Geneva, Gallagher and her team have been followed and photographed, including in their hotel and around UN buildings. "We've stayed in some pretty awful Geneva hotels," Gallagher said, because the nicer ones closer to the UN are considered hotbeds of surveillance.

Gallagher and one of her children have received graphic death, rape, and dismemberment threats over e-mail and social media. There have been hundreds of attempts to hack Gallagher's bank account, and once there were 32 simultaneous attempts to hack her e-mail account using virtual private networks that made it appear as if the perpetrators could be anywhere—say, in the United States or in Kazakhstan. She and her colleagues have also been the objects of "privilege phishing," attempts to persuade targets to reveal sensitive information, including by creating e-mails that appeared as if they were sent by Gallagher or her colleagues. The team's clerks and researchers have been targeted as well, including one whose iPhone was cloned. Gallagher believes the sophistication of these attacks, plus the coordination of the e-mails and cyber-attacks and the fact that they have coincided with key moments in the trial, suggest that at least some of them are likely state-linked. A Hong Kong government spokesman said that anyone who thinks they're being intimidated or harassed should contact local law enforcement. The spokesman did not



respond to questions on the other incidents, including the phishing attempts.

The harassment, Gallagher said, is another reminder of just how precarious Lai's position is. "If this is how much they hate the international lawyers working on the case, just think about how much they hate our client," Gallagher told me.

**O**NE OF GALLAGHER'S MOST DIFFICULT battles has been with the British government, which she said missed multiple opportunities to stand up for Lai. In cases like his, government support is important, but the United Kingdom has been reluctant, Gallagher said. David Cameron was the fourth foreign secretary to hold the position after Lai's arrest in 2020, but he was the first to acknowledge that the publisher was a British citizen and call for his release. Cameron made the statement the day before Lai's trial began in December 2023.

Gallagher has been unable to secure a meeting with Keir Starmer, the prime minister since July 2024, to discuss Lai's case, even though before entering politics he was a human-rights lawyer and cofounded Doughty Street Chambers, the home of the Lai campaign. Gallagher, who overlapped with Starmer at the chambers for several years and still considers him a colleague, thinks they have a fundamental difference on strategy. From Gallagher's perspective, Starmer is trying to warm up relations with Beijing in the hopes of having difficult conversations in private. "That's the wrong strategic approach," she told me. "When dealing with the CCP [Chinese Community Party], it is a mistake to give away the prizes and to give away the

(Scott, continued on page 45)



**"If this is how much they hate the human-rights lawyers working on the case, just think how much they hate our client."**

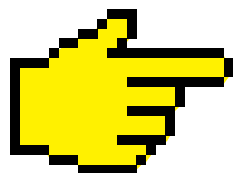
—Caoilfhionn Gallagher

**A history of state violence:** A pro-democracy protester is detained by riot police in Hong Kong in 2019.

# PHILAN+HROPHY

## IN THE

*As Trump escalates his war on civil society, will liberal foundations join the fight to defend democracy?*



# CROSSHAIRS

DAVID CALLAHAN

**S**INCE LATE JANUARY, LEADERS AT LIBERAL FOUNDATIONS AND donor networks have been preparing for a legal assault by federal agencies. That moment finally arrived in September, when, in the wake of Charlie Kirk's assassination, Deputy Attorney General Todd Blanche directed federal prosecutors to investigate the Open Society Foundations on a range of possible criminal charges, reportedly on orders from the White House. Two weeks earlier, Donald Trump had vowed to go after George Soros, the founder of OSF: "We're going to look into Soros, because I think it's a RICO case against him and other people," Trump said on September 12, referring to the federal racketeering law. "Because this is more than, like, protests. This is real agitation."

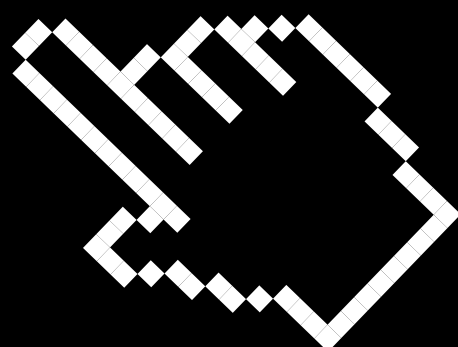
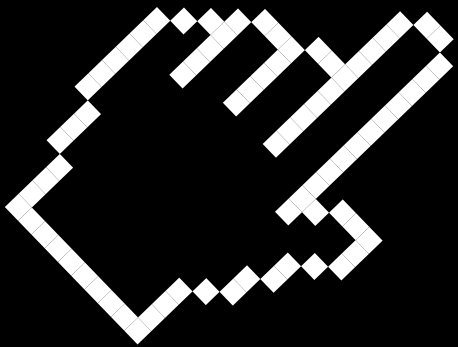
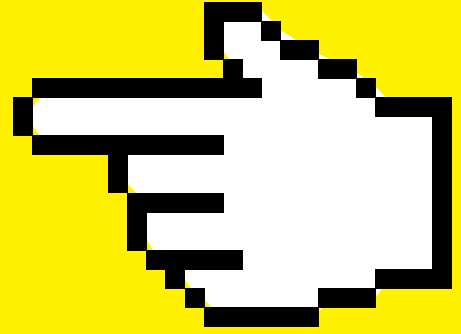
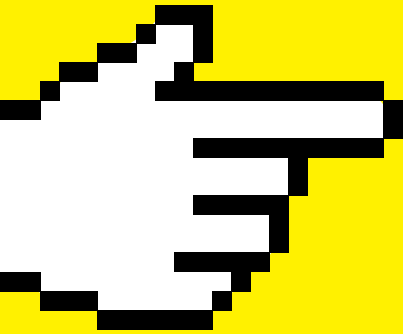
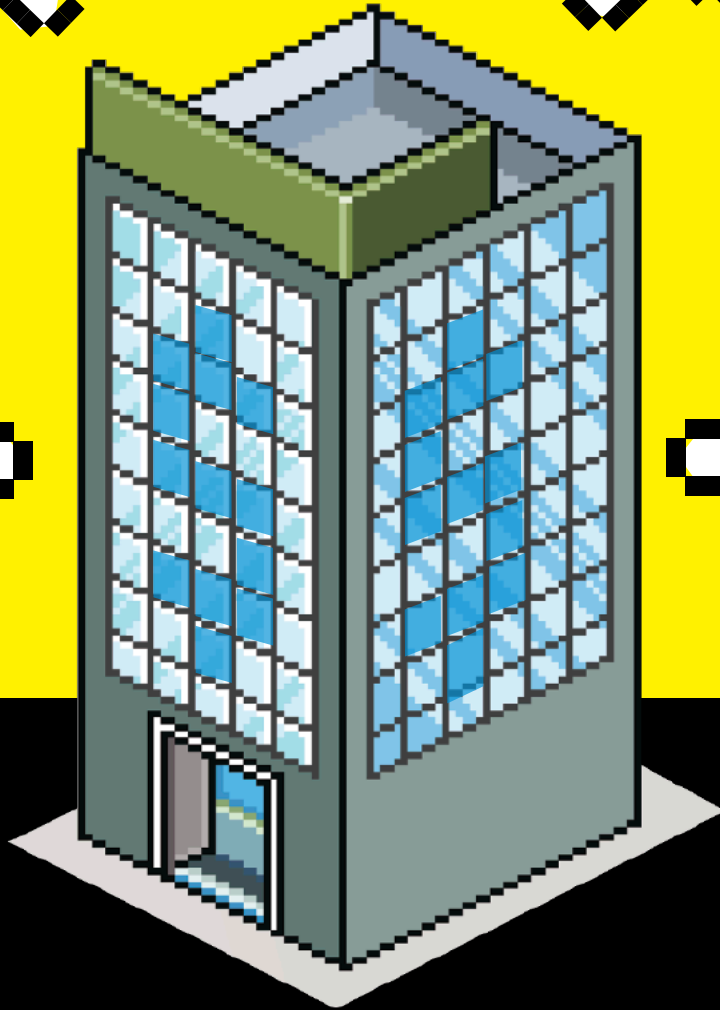
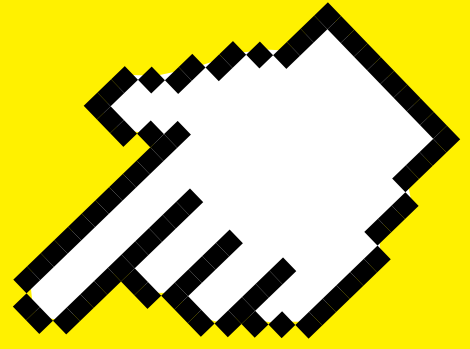
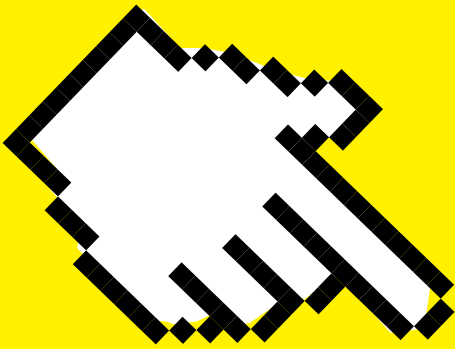
No president has ever before singled out a private foundation or a major philanthropist for an investigation into whatever charges might stick, at least that I can recall from 30 years of working in this field, and OSF—an organization with a long history of battling authoritarian leaders worldwide—was quick to explain what's really going on here: "These accusations are politically motivated attacks on civil society, meant to silence speech the administration disagrees with and undermine the First Amendment right to free speech."

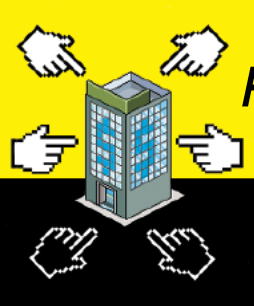
In addition to launching the investigation of OSF, the administration issued a presidential memorandum on September 25 announcing a new law enforcement effort to "disband and uproot" groups that the administration alleges support "domestic terrorism." This move came 10 days after Vice President JD Vance promised to "go after the NGO network that foments, facilitates, and engages in violence," mentioning not only OSF but also the Ford Foundation, which draws on a \$16 billion endowment to fund a wide range of social-justice organizations in the United States and around the world.

*David Callahan is the founder and editor of Inside Philanthropy and the author of The Givers: Wealth, Power, and Philanthropy in a New Gilded Age.*

It's not surprising to see two top liberal foundations in the Trump administration's crosshairs. Wealthy grant-making institutions, with their allegedly radical agendas, have been a bogeyman on the right for at least 50 years. They have often been depicted as the great puppet masters of the left, bankrolling and directing a who's who of progressive groups intent on destroying the American way of life. These attacks have escalated dramatically over the past decade, steadily taking on a darker tone, with allegations that funders have unlawfully bankrolled election activity and groups engaged in violence. Once Trump took office earlier this year, it seemed only a matter of time before weaponized federal agencies set their sights on liberal philanthropy.

To many progressives, there's no small measure of irony in hyped-up claims about the clout of the left's foundations. The reality is that most of these institutions are cautious and slow-moving. They tend to see themselves as neutral players that operate above the political fray, guided by reason, evidence, and a commitment





to problem-solving. While funders have contributed heavily to progressive groups in recent years, they've chronically underinvested in work to build political power and shift narratives, especially around the economic issues that preoccupy Americans. Most have also avoided perfectly legal opportunities to support efforts to increase voter participation in the lead-up to crucial elections since 2016, when the fate of democracy—and, in fact, everything these funders care about—was on the ballot.

As the attacks on civil society escalate, with foundations themselves now under investigation, the stakes have only gotten higher. In a statement released on October 1, Deepak Bhargava, who leads the Freedom Together Foundation, called the Trump administration's investigation of OSF part of a larger

set of “blatant efforts to weaken civil society’s ability to hold the government accountable.... This is a code-red moment for our country and we must respond with the seriousness it demands.”

It's unclear how many foundation presidents share either Bhargava's sense of urgency or his willingness to directly confront the administration. “Some people get it, others don't,” a well-connected democracy funder told me a few months ago, discussing his fellow grant-makers. Like other sources in philanthropy I've spoken with recently, he was willing to speak candidly only on the condition that his name not be

**His master's voice:**  
US Deputy Attorney General Todd Blanche has ordered a legal assault on liberal foundations, reportedly at the behest of the White House.

used. He said that many foundation leaders seem to think that they can wait out the Trump term and then, eventually, things would return to normal.

In the current climate, though, it's become increasingly clear that foundations will not be able to escape the growing storm. These deep-pocketed institutions need to learn how to fight harder and smarter in the political arena, and quickly—both to defend decades of investments in social change and, ultimately, their own ability to operate freely in a democratic society.

**W**ITH DEEP COFFERS AND A WIDE latitude to take risks, the philanthropy sector is uniquely positioned to push back against right-wing authoritarianism—in theory, anyway. And some liberal funders have done exactly that over the past eight years, helping Democrats win important battles. During Trump's first term, they underwrote a blizzard of litigation to block his policy priorities and provided crucial support for “Resistance” groups that helped to stop the Republican attempt to repeal Obamacare and shifted public opinion in ways that fueled Democratic victories in the 2018 and 2020 elections.

But most liberal grant-makers have either stayed on the sidelines in the struggle to defend democracy or brought only a small fraction of their resources to these efforts.

Complacency is one explanation for this relative passivity. Over the past 30 years, foundations have been repeatedly warned about the threats posed by a radicalized right—only to repeatedly ignore them. The goals of this movement

are no great secret: to roll back the New Deal and Great Society safety-net programs, dismantle the modern regulatory state, and eviscerate civil-rights-era laws. More recently, Trump has added another item to this extremist to-do list: destroying the liberal international order, including key alliances like NATO. Each of these goals would unravel the gains that philanthropy has invested billions to help achieve over the past 70 years, while also blocking progress in the crucial areas where it's currently involved, such as climate change and public health.

In other words, the stakes for these institutions could hardly be higher, even before it became clear that philanthropy itself might be a target. Still, funders have routinely shrugged off warnings about what they were up against. Most famously, political strategist Rob Stein led a campaign two decades ago to educate grant-makers about how the right was building a powerful media and political machine to destroy liberalism. These warnings helped galvanize the creation of the Democracy Alliance, a high-powered group of left-of-center donors, which includes some foundations. But most top grant-makers ignored Stein's warnings.

One reason for this complacency is that many grant-makers embraced a Pollyannaish reading of history, especially during the hopeful Obama years. “We in philanthropy assumed too much,” a foundation CEO told me. “We believed we arrived at a place of permanent social progress...that social progress was linear.” He added, “For anyone who understands American history, we know that's not true.”

More pointedly, the philanthropic world failed to reckon with the deep structural shifts in American economic life that left increasingly large swaths of the population living in frustration and anxiety, planting the seeds of an explosive politics of resentment. Or how the Iraq War and the 2008 financial crisis discredited institutions. “We're living in the col-

lapse of the neoliberal consensus that has failed to deliver for people for a very long time,” said a top progressive grant-maker. “Liberal philanthropy failed abysmally to meet the moment. Most of it acted as if there weren't an earthquake going on.” Worse, he said, much of the sector “has been a defender of the broken status quo.”

Even after Trump's first election victory, many funders failed to grasp the roiling



discontent and alienation in US society—or how much darker the mood could turn.

**T**HIS COMPLACENCY IS NOT SO SURPRISING to anyone steeped in the circumspect, technocratic ethos of American philanthropy.

Since the early 20th century, many foundations have embraced a theory of change that goes something like this: Identify problems you want to solve, invest in research and policy development to find effective interventions, and then get those solutions implemented—either by bankrolling the work yourself or by collaborating with public and private partners to build new programs. Grant-makers have also heavily funded policy experts, advocates, and litigators to defend and build upon gains over time.

These strategies have done a lot of good in the world. But they assume certain conditions: that expert knowledge carries authority and that facts matter to Democrats and Republicans alike; that progress is possible under either political party, with both committed to democratic norms of governance; and that the federal judiciary is largely populated by impartial judges.

Those conditions began to disappear in the 1990s, thanks to shifts in media and politics; by the time Trump took office in 2017, they had largely vanished. Liberal philanthropy confronted a drastically different environment. Elite experts are not only distrusted but often vilified. Facts matter less than the narrative, which can easily be shaped by misinformation. Partisan, right-wing judges increasingly dominate the judiciary. The Republican Party has become radicalized and has little regard for democratic norms; it also has an ever more expansive agenda for dismantling civic institutions, starting with the government.

All of these shifts have made it difficult for funders to operate effectively using the traditional philanthropic model. But perhaps none have been more confounding than the changes in media and information. It's hard to implement solutions using reason and knowledge in an era when the truth is endlessly contested, with Americans getting their news from sources with wildly varying levels of reliability, much of it with a strong rightward slant.

In the two decades since Rob Stein warned the philanthropy world about the right's narrative dominance, the problem has gotten much worse, as the conservative media and influencer ecosystem has exploded in size.

This new information juggernaut may be the greatest challenge facing what has been repeatedly dubbed the “reality-based community,” of which philanthropy is an important pillar. How can you have a serious debate about, say, immigration when millions believe that migrants



commit crimes at a higher rate than native-born Americans? Or about democracy when a third of the country is still convinced that the 2020 election was stolen? Or about public health when anti-vaxxer messaging is shared by top podcasters and Republican officials? In such an environment, good-faith debate becomes far less relevant than who has the best-funded and most persuasive megaphone—propaganda, in other words.

Foundations have had plenty of time to respond to these shifts in the information landscape. Yet beyond a few initiatives here and there, such as Press Forward—a half-billion-dollar grant-making initiative to support local news—this area hasn't been a priority for foundations.

**W**ITHOUT QUESTION, THOUGH, THE SINGLE BIGGEST failure of Big Philanthropy in recent years has been its unwillingness to challenge an economic system that falls short for so many people.

While concerns about affordability and upward mobility have increasingly preoccupied Americans since the 2008 financial crisis, the same has not been true for philanthropy-backed nonprofits. The best-funded left-of-center advocacy groups—which operate in close concert with elected Democrats to compete for power with the right—have largely not been speaking to people's material concerns in the past 15 years. They've been more focused on issues like racial justice, gender equity, climate change, and gun violence.

These are profoundly important issues and can deeply shape people's economic opportunities. But they consistently rank as far lower priorities for voters, particularly the non-college-educated voters of all races who make up two-thirds of the electorate.

The perception that Democrats and the broader left are tuned out of people's economic struggles was underscored by a *New York Times* poll in January that found voters thought the most important issues to the Democratic Party were abortion, LGBTQ rights, and climate change. Meanwhile, voters said the economy was the issue that mattered most to them. This

**Sounding the alarm:** Social-justice organizer Deepak Bhargava calls this a “code-red moment” for our country.



**How can you have a serious debate about immigration when millions believe that migrants commit crimes at higher rates?**



the Biden administration's efforts to strengthen manufacturing, challenge monopolies, and more.

But while this funding did influence policy, philanthropy's overall efforts to address people's everyday struggles to get ahead have remained too small and scattered to have much impact on broader narratives.

**O**VER THE PAST NINE MONTHS, as the Trump administration has escalated its attacks on democratic institutions, many foundations have largely continued business as usual, with only minor changes to their funding priorities. However, others, such as the Freedom Together Foundation, the MacArthur Foundation, and

smaller institutions like the Marguerite Casey Foundation, have mobilized to meet the moment. They have increased their grant-making and joined other funders to push back against the Trump policies that target civil society. Both publicly and behind closed doors, they have urged more of their fellow grant-makers to join them in the fight.

These foundations understand that they're in a battle with existential stakes that include the survival of democracy and a well-functioning federal government. In turn, those stakes affect every part of American society. Whether a foundation is working on climate change, the arts, global health, or supporting social services, its priorities are now at risk. In the face of MAGA's broad policy agenda and brazen power grab, a siloed approach to solving societal problems is no longer tenable. Nor can most foundations keep taking a pass on pushing back against an increasingly illiberal right, hoping that a handful of other, more courageous foundations will win the fight for them.

This reality should now be clearer in the wake of Trump's recent moves against civil society, although it's too early to say whether it will prompt more foundations to take action. In any case, stepping up to help protect democracy in the near term is only part of the solution. Any successful strategy to defeat right-wing authoritarianism must also channel the deep sense of so many Americans that the economic status quo is broken and that dramatic change is needed. This crisis of opportunity stems from systemic failures that demand collective solutions, not the individualistic ones that philanthropy often favors.

Looking ahead, the foundations that are already working to confront entrenched inequality need to ramp up their grant-making to groups that organize at the local level while also

mismatch is likely the single biggest reason that so many voters of color have exited the left-of-center coalition in recent years, a trend that's culminated with Trump winning a larger share of Latino and Black voters than any Republican in modern history, helping him secure a second term.

Why has philanthropy sidelined economic concerns? Leaders in the sector offer a number of explanations. One is that foundations are largely run by highly educated professionals with little connection to the working class or material hardship. "Class has been put to the margins of a lot of progressive discourse and philanthropy," said one foundation CEO. "There's been a disappearing of that reality from elites on the left."

But the larger problem may be that foundations and major donors are creatures of capitalism. Their wealth comes from success in business, and it's no surprise that funders—consciously or subconsciously—aren't much interested in challenging the system that spawned them.

**A different time:**  
Ralph Abernathy and Jesse Jackson (center) discuss a food-stamps proposal with Democratic Senator Edward Kennedy and Republican Senator Hugh Scott in 1964.

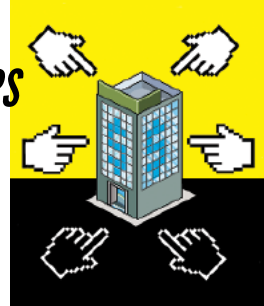
While some philanthropy does support efforts to increase economic mobility, they're typically in areas like community development, job training, education, and housing assistance. "Philanthropy turns to individualistic solutions to economic inequality," said a former foundation CEO. "We don't have a willingness to actually critique capitalism." Grant-makers like supporting "services for poor people," the former CEO continued. "They're not interested in funding power-building around economic issues." Another grant-maker agreed: "Most of the economic work is palliative."

There are exceptions—like the Irvine Foundation, which shifted its grant-making in 2016 to focus on helping low-income workers move up the economic ladder, including by increasing their political power. Ford has been another leader, backing a set of new labor-movement groups that include the National Domestic Workers Alliance and Restaurant Opportunities Centers United, joined by various other funders. In 2018, the Hew-

lett Foundation began work that explicitly critiqued the failures of neoliberalism and embarked on the search for an alternative economic paradigm. Other funders, including the Omidyar Network, have supported this effort, shaping



**Foundations and major donors are creatures of capitalism, so they're not much interested in challenging the system that spawned them.**



pulling in more funders to make similar investments. The moment is ripe for such efforts, as Trump's policies hit red and blue communities alike, slowing growth and raising costs. A powerful backlash against these policies could shape politics for years to come by finally discrediting a fake MAGA populism that, in practice, inflicts pain on working people. But this chance for a political pivot may be missed if philanthropy fails to rapidly scale organizing work to meet the moment.

**Y**ET EVEN AS FOUNDATIONS INVEST MORE in organizing, it's critical that they look much more closely at the progressive groups they support. The best organizing groups connect deeply in communities with an inclusive ethos and set their agendas with input from their members. They avoid political litmus tests and foster a sense of belonging among people. They're also pragmatic and ready to compromise. As a funder who works closely with prominent statewide organizing groups told me, "The woke stuff is not driving these organizations.... They're trying to build a majority political program." Among other things, this means not making unrealistic ideological demands of elected officials. "We can't afford to be absolutist when it comes to politicians," the executive director of a leading national organizing group told me.

Some foundations have long supported the organizing work of highly effective groups and have much to share with other funders. Historically, though, many mainstream foundations have been reluctant to invest in grassroots organizing. That needs to change.

Responding to these dramatic shifts in the media and information landscape must also be part of any long-term philanthropic strategy to defeat right-wing authoritarianism. Some funders are already showing the way by backing a range of new media and narrative projects, such as Accelerate Change, which invests in lifestyle and culture media sites that reach Americans where they're at and then seek to shape their views. Accelerate Change's multiple media properties now reach tens of millions of Americans. It has ambitious plans to reach even more people—if it can secure enough funding.

Other groups are also working to formulate messages that can punch through partisan

divides, including in deep-red parts of the country. To better understand working-class people in rural America and beyond, the Rural Democracy Initiative created the Winning Jobs Narrative, a groundbreaking public-opinion research project that makes "talking about jobs, work and the economy" central to its mission. A much more widespread adoption of this storytelling strategy could greatly increase the effectiveness of organizing, advocacy, and political campaigns, particularly in rural areas where Democrats badly need to improve their performance. But accomplishing that will require funders to step up in a major way.

Finally, foundations need to lean far more heavily into civic-participation work within the boundaries of current law. The best of these efforts are indisputably effective. When people are involved in public issues by trusted community organizations, they are more likely to engage in politics and vote. Scaling up such work is essential to building a more inclusive democracy.

The midterm elections offer philanthropy a pivotal opportunity to start turning things around. Through unprecedented investments in 501(c)(3) civic-participation work, funders can ensure that voters fully understand the effects of Trump's policies and have the opportunity to be heard in the democratic process. Republicans lost 41 congressional seats in 2018. Democrats can regain control of the House next year by flipping a significantly smaller number of seats, even if Republicans gain an advantage through redistricting, which now appears likely.

It goes without saying that for foundations to move forward on any of these fronts, they must retain the ability to operate free from government interference. Whether that will remain the case is now an open question.

Since announcing its investigation of OSF and issuing its presidential memorandum on domestic terrorism, the Trump administration has made no further public moves to crack down on liberal foundations and nonprofit organizations. But leaders across this world are bracing for the worst and consulting with legal counsel in preparation.

It's still possible that the administration will think twice about initiating a full-scale attack on civil society, given the potential for this tactic to one day boomerang on its own supporters. This point was made by a prominent leader in conservative philanthropy, DonorsTrust CEO Lawson Bader, who recently told *The Free Press* that Trump's retaliatory rhetoric after Charlie Kirk's assassination "has the potential to weaponize philanthropy in a way that is antithetical to philanthropic freedom." He added that threats to the nonprofit status of law-abiding organizations "narrows the important boundary between citizen and state."

Of course, Trump has a well-established history of disregarding once-sacrosanct conservative principles. If his administration moves aggressively against independent foundations and nonprofits, this will be yet another example of opportunism triumphing over principle—and another ominous step toward an increasingly authoritarian future.



**Mainstream foundations have historically been reluctant to invest in grassroots organizing. That needs to change.**

**Rollback:** This 1967 classroom benefited from Great Society programs that invested in education—and now we're turning back the clock.



All too often, when a family can't afford safe housing,  
the solution that child welfare services offer  
is to take away the children.

BRYCE COVERT

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ME

**I**T WAS A SUNDAY THIS PAST JUNE, AND VIRGINIA ORTEGA WAS HEADING to work at her job cleaning hotel rooms, putting in overtime so she could pay her rent. She asked her son Cesar (a pseudonym), an autistic 16-year-old who also suffers from hallucinations, if she should find someone to watch him while she worked, but he said no, he was old enough to stay home alone. When Ortega returned to her squat, triangle-roofed one-story house in southeastern Kansas City, Missouri, after work, the front door was hanging open and Cesar was nowhere to be found. Frantic, she asked her neighbors what had happened. One told her that the police had taken her son while she was at work.

Ortega, who is originally from Mexico and speaks Mixtec and Spanish, said a caseworker with Missouri's child welfare agency eventually told her that her son was taken because she doesn't have air conditioning. In Missouri, landlords are required to provide heat but not air conditioning, and her landlord has refused to get a unit for her. She doesn't have the money to buy one herself. She told me that the caseworker told her, "*No es seguro vivir conmigo*": that it's not safe for her son to live with her.

Ortega had worked hard to make her house as safe as she could. Sitting on the tile floor of her small living room in September—her only furniture is a black love seat and a bare mattress on the floor of her bedroom—she told me that when she moved into the house, it was covered with rat feces. She got it as clean as possible, but the place still needed repairs: The kitchen cabinet doors were hanging off their hinges, and there was a large hole punched in the tile over her bathtub. Ortega tried to get her landlord to fix it up, but instead the landlord retaliated: She accused Ortega of using too much water and gas and then shut the water off. Ortega would like to move, but she can't afford to put down a deposit on another home, and she doesn't know how to apply for a housing voucher or for public housing.

She has no family here in the United States to help.

When we spoke, months after Cesar was taken, Ortega still knew nothing about where he was or who was caring for him. "*No sé nada*," she said, silently crying: I don't know anything. She hadn't been able to see him for three months, the longest they'd ever been apart. "*Extraño mucho a mi hijo*," she said, holding her hands over her eyes: I miss my son very much. "*Nomás puedo llorar*": All I can do is cry.

You might think that child welfare agencies remove children from their families primarily over suspicions of physical or sexual abuse. But the reality is that removals for the more nebulous category of "neglect"—which ranges from locking a child in a closet to leaving a child in the care of an older sibling so a parent can go to work—are far more common. In 2022, the most recent year for which federal data is available, neglect was the basis for 62 percent of removals in the country, which meant 115,473 children were taken from their families for this reason. In Missouri, neglect made up two-thirds of all referrals to a child welfare agency in 2024.

This article was supported by the USC Annenberg Center for Health Journalism's National Fellowship and Fund for Reporting on Child Well-Being.

ILLUSTRATION BY HANNA BARCZYK





Most neglect cases stem from financial deprivation and its effects—such as inadequate food, clothing, or shelter. Research suggests that it’s poverty that drives these problems, not the parents’ unwillingness to address them. “There’s a substantial body of evidence that when you reduce poverty, there is less child-welfare-system involvement and less neglect in particular,” said William Schneider, an associate professor at the University of Illinois Urbana-Champaign with a focus on child welfare.

The inability to afford decent housing is a persistent driver of child neglect cases. Every year since 2015, inadequate or unsafe housing was cited as a reason for removal in about 10 percent of all cases in which children were taken from their families by child welfare agencies, even as the total number of children removed from their families has declined, according to federal Adoption and Foster Care Analysis and Reporting

children removed from their families are much more likely to be hospitalized for mental illness and to commit suicide. When children are taken from their families, even if they’re placed in a caring foster home, “you rip them from their school, you rip them from their community, their friends, and you erode kinship relationships,” said Clark Peters, an associate professor at the University of Missouri with a focus on child welfare.

Meanwhile, any removal starts a relatively short clock: If parents fail to reunify with their children before 15 months elapse, child welfare agencies must move to terminate parental rights. That’s when families risk losing their children forever.

**T**HE HEAD OF MISSOURI’S CHILDREN’S Division, Sara Smith, insists that caseworkers in her agency use an individualized approach in determining when a removal is necessary. “In and of itself, we wouldn’t take homelessness as a report,” Smith asserted. “We would be looking at if the child’s basic needs are met, if the family does have some kind of housing.” In addition, she said, an abuse or neglect report is not the only option available; caseworkers can make a “preventative service referral,” which points families to community organizations—nonprofits, churches—that might be able to provide resources. Families can also choose to do a “temporary alternative placement agreement,” or TAPA, a voluntary process outside the court system that places children with other family members. But Smith acknowledges that the division doesn’t spend

its own funds on securing or fixing housing for families. “Children’s Division in and of itself doesn’t provide...some of the things that are needed for housing situations,” she said. “We really do rely on our community partners.”

Missouri operates a state-wide hotline for initial reports of child abuse and neglect. When hotline staff receive a report, they are prompted to note “conditions or content of the household which are unsafe or unsanitary,” as well as whether the utilities are turned off and if there is a “lack of shelter.” A report is referred to a local child welfare department in the state when “lack of heat or shelter, or unsanitary household conditions are hazardous and could lead to injury or illness of the child(ren) if not resolved.”

Once a report is funneled to a local department, a caseworker completes risk and safety assessments. A point gets added to a family’s risk score if “current housing is physically unsafe,”

## “Missouri’s leadership is not interested in preventing children from coming into foster care.”

—Darrell Missey, the former head of Missouri’s Children’s Division

**Parenting while unhoused:** Kathy Connors, executive director of the Gateway 180 homeless shelter in St. Louis (right), says an “awful lot” of mothers lose custody of their children while living there.

System data. In 2023, the most recent year for which data has been released, nearly 16,000 children who were removed from their homes, representing 9 percent of all removals, were deemed to live in substandard housing. Those children may have been removed for a combination of factors that could also include a parent’s substance abuse or mental illness, but some children are removed solely because their families’ housing is inadequate. In 2021, the most recent year for which there is data, at least 1,467 children were taken from their families because of housing issues alone. This phenomenon disproportionately affects Black families; on average between 2013 and 2021, nearly 20 percent of children removed because of housing were Black, even though Black people make up about 12 percent of the population.

Those numbers are most likely an undercount because of variations in how caseworkers in different jurisdictions fill out paperwork. Even so, some states are clearly hot spots for housing-related removals. Missouri is one of them, as are states as diverse as Georgia, Maine, Michigan, and New Mexico. In Missouri, between 2013 and 2021, an average of 18 percent of children per year who were removed from their families were removed at least in part because of their housing. In 2019, before the number of removals fell during the pandemic, the state removed 138 children from their families solely for this reason. Black children in Missouri are also disproportionately affected: On average, they accounted for 14 percent of removals in the same period, even though Black people make up 11 percent of the state’s population.

In Missouri, a substandard apartment is reason enough for judges to agree to removals, said Kathleen Dubois, a retired family court attorney in St. Louis. “Nobody blames the landlord,” she told me. “They just take away the kids.” Kathy Connors, the executive director of the St. Louis homeless shelter Gateway 180, sees the same thing: There are an “awful lot” of instances in which mothers living in her shelter have their children taken away if they can’t find permanent housing fast enough.

The stakes are incredibly high. “Separating a parent and a child causes trauma however it comes about,” said Josh Gupta-Kagan, a Columbia Law School professor who specializes in child neglect and abuse law. One study in Sweden found that



while homelessness adds two points. One of the factors included in the safety assessment is whether “the physical living conditions are hazardous and immediately threatening to the child’s health and/or safety.” This could include “situations where significant structural dangers exist in home (e.g., leaking gas from stove or heating unit, lack of water or utilities, exposed and accessible electrical wires),” as well as things like “repeated insect and rodent bites” and “on-going presence of animal feces.” If one or more safety threats are present, and an intervention plan or TAPA is deemed insufficient, then the assessment states that children must be removed. (Smith noted that the risk assessment, which is 20 years old, is currently being redeveloped.)

While the risk and safety assessments are guides, a lot comes down to a caseworker’s instincts. “Doing this work for a while, you know when you go into a home where you cannot fix,” Smith said.

Darrell Missey became the director of Missouri’s Children’s Division in 2022. A former judge who heard child welfare cases, he took the job with the goal of reducing removals. “I was trying to get people to give folks the opportunity to come up with answers besides separating the family,” Missey said. Still, he often felt forced to remove children because he didn’t have any housing to offer their families. Missey left the position in late 2024. Smith, his replacement, reassigned the person Missey had hired to work on removal prevention to a different role and fired his deputy director, he said. There is a “mentality” that “pervades the state” of removing a child instead of finding a way to fix or find housing, he added: “Missouri’s leadership is not interested in preventing children from coming into foster care.”

A unique aspect of Missouri’s child welfare system makes removals even more likely. Once the Children’s Division determines that a child should be removed, caseworkers hand the case over to a juvenile officer, who has the sole purview of deciding whether to seek removals or reunifications. The officers are hired, supervised, and fired by the very judges that they petition to remove children, meaning there’s “no separation of powers,” Missey said. And while the federal government requires state agencies to make efforts to prevent removals and reunify children with their parents, juvenile officers aren’t subject to those rules.

Some states have laws that say, at least on paper, that children should not be removed from their families because their parents can’t afford decent housing. About half of states exempt parents’ financial inability to provide things like shelter for their children from the definition of child maltreatment. At least three states have statutes saying homelessness does not constitute neglect.



“The landlords are really notorious”: Affordable housing in St. Louis is often in need of repair.

Missouri does not. While it has exceptions in its maltreatment statutes for corporal punishment and refusing medical care on religious grounds, it has none for poverty or homelessness. And while removals are supposed to occur only when a child is at imminent risk of harm, caseworkers often consider housing issues indications of that risk.

**T**HAT’S WHAT HAPPENED TO LAUREN, WHOM I MET AT FAMILY COURT IN Kansas City. Her son John (both pseudonyms to protect the family’s privacy while their case is pending), now 9 years old, was born with chronic kidney disease. Through tears, Lauren recalled that, a few years ago, both her mother and John were hospitalized at the same time. Trying to care for both of them, Lauren lost her job as a data entry clerk. When it came time to renew the lease on her home in Kansas City, she declined, believing she would soon move in with her mother. Then her mother died. Lauren and John were evicted, and they eventually moved into an extended-stay hotel.

The hotel wasn’t perfect, but it worked for them: They lived in a suite with a refrigerator, a stove top, and a table and chairs. “That was like our home,” Lauren said. She had food in the refrigerator, and she placed the new clothes she had bought for John on hangers. “We were sleeping good every night. He was eating, taking baths.” John was transported from the hotel to school and back. The other long-term residents of the hotel became their community. Between John’s Social Security disability payments and Lauren’s income driving for DoorDash, she could cover her costs.

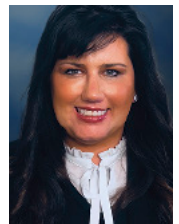
Still, John’s doctor repeatedly told her that she needed to move to permanent housing, but the hospital social workers didn’t offer much help. They gave her a piece of paper listing resources she could contact—all of which she had already tried.

And Lauren still couldn’t get a full-time job. John’s dialysis took place three days a week, four and a half hours at a time; he had other medical appointments and hospitalizations, too. “I spend more of my time at this hospital than I can do at a job,” Lauren said. But she’d developed a plan: She had decided to move in with an elderly cousin who lives alone in a three-bedroom house in Oklahoma City and has a spare car. In Oklahoma, Lauren heard, she could get off the waiting list for a Section 8 rental voucher in a matter of months and finally get her own housing. She had packed up and was even approved



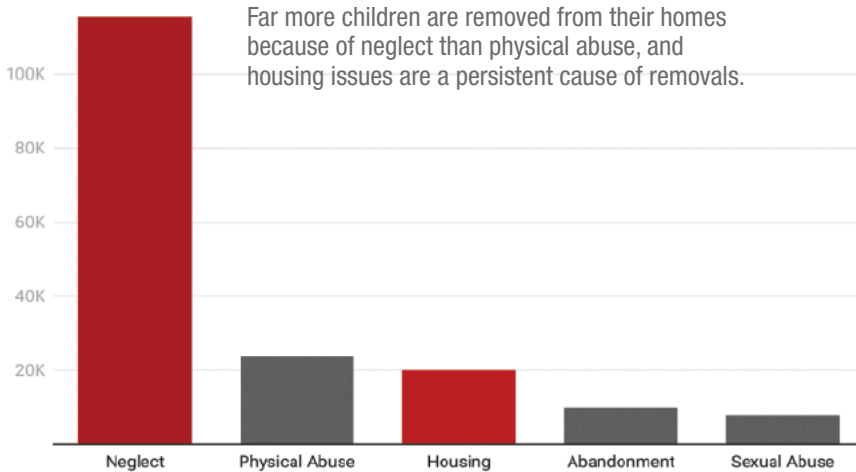
**“Nobody blames the landlord. They just take away the kids.”**

—Kathleen Dubois,  
a retired family court attorney



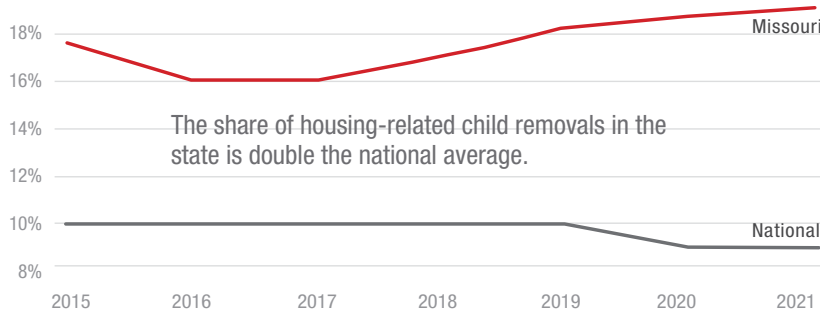
**Gut feeling:** “Doing this work for a while, you know when you go into a home where you cannot fix,” says Sara Smith, the current head of Missouri’s Children’s Division.

## Why Are Children Taken From Their Families?



Note: These categories are not exclusive. One case can belong to multiple categories.  
Source: 2022 AFCARS, Children's Bureau · Created with Datawrapper

## Missouri Is a Hot Spot for Housing-Related Removals



Source: 2025 AFCARS, Children's Bureau · Created with Datawrapper

for Medicaid and food stamps there. All she was waiting for was the hospital to send her son's records over to a new dialysis center near her cousin. She planned to move before Labor Day.

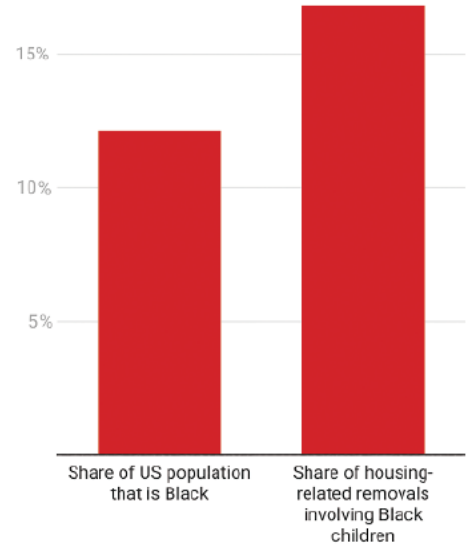
Instead, a hospital employee called the state hotline to report her to the Children's Division. The paperwork outlining the reasons for her son's removal notes that they had stayed in the hotel for over a year. That presented an imminent risk, according to the division, because John had been removed from

the kidney donor list when it was discovered that Lauren didn't have permanent housing, even though the wait for a transplant typically lasts years. The hospital also claimed that John wasn't taking his medications and that he was missing his appointments—a claim that Lauren vehemently denies. Even when she briefly didn't have a car, they never missed appointments, she said, showing up late only when the medical transport was late.

Lauren's son is now living with her eldest daughter. Even though he's

## Unequal Treatment

Black families are disproportionately subject to housing-related child removals.



Source: 2025 AFCARS, Children's Bureau · Created with Datawrapper

with a family member, the experience has been traumatic. For the first week, Lauren couldn't see or talk to him. "They treated me like I was an abusive mother," she said. The two had never spent that long apart. John cried every day and began losing weight. Eventually, Lauren was permitted 10-minute phone conversations with him. "He cried and cried—he cried when he got on the phone with me, he cried when they made him get off," she said. Lauren herself couldn't sleep or eat. "I was just sitting up waiting for the next call."

When we met in September, she was allowed to see him, but only for an hour while he was at dialysis, and only when someone at the Children's Division was available to supervise the visit. John cried every time she left. "He's really not himself," Lauren said. "I can just see in his face he's not happy." He's asked her if this all means she's not his mother anymore and insists he doesn't want a new mom. "I'm all he got. I'm all he knows," she said.

Lauren has been told she has to have permanent housing to be reunited with John, and she's trying, but "it's hard," she said. She's still on the waiting list for Section 8 and public housing. "I just don't see how they can get away with doing this to people," she said tearfully, heavy bags under her eyes. "I still take good care of him, and I feel like that should be all that matters."

ONCE THEY HAVE LOST CUSTODY OF A child, families can be held to an even higher standard before they can reunite. Any state-level protections against removals due to poverty or homelessness disappear when it comes to whether and when children can go home.

**"I just don't see how they can get away with this. I take good care of him, and I feel like that should be all that matters."**

—Lauren, a Missouri mother who lost custody of her son



Caseworkers and judges have far more discretion to tell parents what they must accomplish before they can get their kids back.

Ortega is dealing with these hurdles now. To get her son back, a judge told her, she had to have decent housing, a job, and \$3,000 in a bank account, she told me. But after Cesar was removed, she was fired—someone at work had spread a rumor that she’s a bad mother. Ortega suffers from leukemia, which makes it hard for her to find another job. The court order removing Cesar said she had been referred to affordable-housing programs, but Ortega couldn’t make use of that referral. She can’t read; her mother didn’t send her to school.

To make matters even worse, she no longer gets the \$960 a month that Cesar receives in Social Security disability benefits. When she went to collect the checks, she was told that they are going instead to whoever is caring for Cesar. When we met, she was on the verge of losing her housing without any income.

“No le bice nada a mi niño,” she said: I never did anything to hurt my son. But that’s not enough in the court’s eyes. “Si no tengo trabajo, no me pueden entregar a mi hijo,” she said: If I don’t have work, they can’t bring back my son. “Si no tengo casa mejor, no me lo van a entregar a mi”: If I don’t have a better house, they’re not going to bring him back to me.

Whether or not a child was originally removed because of problems with housing, child welfare agencies often insist that a family secure or improve their housing situation before reunification. In Missouri, the standards are “really strong” about what qualifies as an appropriate home, Dubois said, and they exclude brothers and sisters sharing rooms or parents sharing

bedrooms with their children. Living at the Gateway180 shelter is typically not considered adequate housing to allow parents to get their children back, Connors said. She has seen many families who come to the shelter working to reunify with their children. But since she began working there in 2016, she has seen only four successful reunifications. “It does seem like it’s a situation where the goalpost keeps getting moved further and further,” she said. Three studies conducted since 1996 have concluded that 30 percent of children nationally could have been reunited with their families immediately if the families had adequate housing.

The affordable-housing crisis makes this an even more difficult barrier to overcome. Housing costs for both renters and owners rose faster than inflation last year, with nearly half of renters spending more than a third of their income on rent. The median rent jumped 4.1 percent. Homelessness reached the highest level ever recorded.

A long history of housing discrimination in the United States may explain, at least in part, the disproportionate impact of housing-related removals on Black families, with Missouri being no exception. Both Kansas City and St. Louis, the state’s largest cities, developed redlining maps that banks used to deny loans in “undesirable” areas. In the 1920s, Kansas City developers adopted racial exclusion policies that prohibited sales or rentals to Black people. St. Louis had an ordinance prohibiting Black people from moving into houses on predominantly white blocks. This legacy is still visible today. The dividing line in the city is Delmar Boulevard: The area north of it is full of vacant and run-down buildings; immediately south of it, brand-new housing and gym complexes spring up.

The cheaper housing north of Delmar is typically very old and in need of significant repairs. “The landlords are really notorious,” Dubois said. They also frequently resort to evictions. Family court attorney Laurie Snell said the same thing of Kansas City. “There are a lot of slumlords,” she told me.

Sometimes all that families need to remain stably housed and prevent a child’s removal is some extra money. But while the Children’s Division doesn’t use its funds to help these families with housing, the agency does directly fund the housing needs of foster families, as federal law requires. In Missouri, licensed foster-care families receive between \$509 and \$712 a month for a child, depending on the child’s age, to cover housing and other basic needs, plus an additional \$91 a month for children 3 years and younger to cover things like formula and diapers. They receive between \$320 and \$700 a year for clothing, as well as monthly payments of as much as \$2,034 for children with “elevated needs.”

That kind of money would have been a godsend for A.M. and her husband, E.M. (they requested anonymity out of fear that speaking out would bring them back to the attention of the Children’s Division), who have four children, three of whom have intellectual or mental disabilities. A.M. and E.M. lost the custody of some or all of their children multiple times over the past three decades. The first time their family became entangled in the child welfare system was in 1990, when A.M.’s mother called

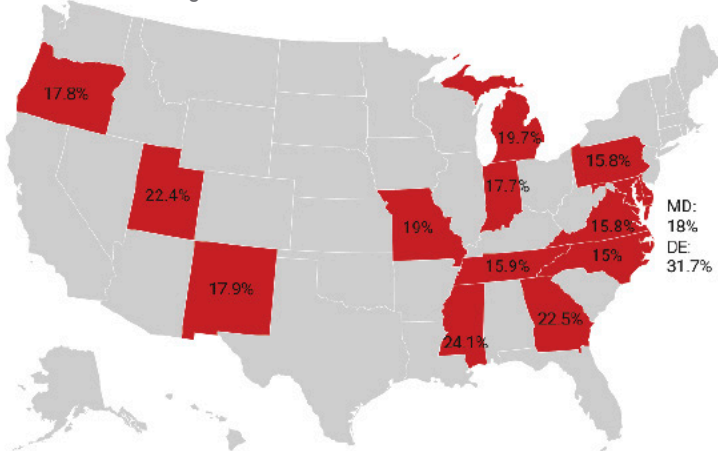


**“I think the state would have saved a lot of money by helping the biological parents get through whatever issues there was.”**

—E.M., who lost custody of his children multiple times

## Missouri Isn’t the Only Hot Spot

All of the states identified in red have high rates of housing-related child removals.



Data for 2021  
Source: 2025 AFCARS, Children’s Bureau • Created with Datawrapper



the state hotline to report them. After showing up at their St. Louis apartment, a caseworker offered them cleaning supplies without removing their son (then their only child). But five years later, after A.M. was “hotlined” again, the caseworker who visited their home deemed it too dirty, and their son was removed. “It was heart-wrenching,” A.M. recalled. She suffers from depression as well as physical disabilities, but no allowance was made for any of her conditions. She and E.M.

had to get the house clean and ensure that the utilities were kept on, plus attend parenting classes, to get their son back. It wasn’t easy; E.M. kept having to take time off work to meet the requirements, and he worried that he’d lose his job.

The last time their family was separated, after her children’s school district called the hotline, it took A.M. and E.M. a year and a half to get back their youngest son, who is

autistic. He receives Social Security disability payments, but while he was out of their home, A.M. and E.M. not only didn’t receive those checks but were made to pay about \$200 a month in child support to the state. A.M. was still struggling to get on disability benefits herself; E.M. was putting in 14-hour days at work. “We almost lost our home,” A.M. said. Once they were reunited with their son, they got most of his Social Security

money back, but it all went to their landlord to catch up on rent.

Memories of the removals still bring A.M. to tears. “It seemed like it happened every five years,” she said. “All of it was because of the house.” Every time the children were taken, the foster families received monthly checks to care for them. If those payments had instead gone to A.M. and E.M., it “would have meant a lot,” A.M. said. “Being able to pay our bills, actually get the stuff the kids wanted.”

“Here in Missouri, they look for any and every excuse to take the kid away,” E.M. added. “I think the state would have saved a lot of money by helping the biological parents get through whatever issues there was.”

Indeed, research has found that when families get help with housing, their involvement with child welfare agencies decreases. During the pandemic, eviction moratoriums significantly drove down reports of child neglect. An in-depth study by the US Department of Housing and Urban Development found that families who received housing vouchers had children removed far less often than those who didn’t. Another HUD demonstration project found that families who were given supportive housing ended up getting their children back at twice the rate of families who weren’t.

But most child welfare agencies don’t offer such interventions. One big reason is that the federal government reimburses states for money they spend supporting foster parents through Title IV-E of the Social Security Act, which is the main source of child welfare funding. But it won’t reimburse state spending to directly support birth families. Ruth White, the executive director of the National Center for Housing & Child Welfare, argues that agencies have other flexible funding they could use this way, including other Social Security Act money, funds from the Temporary Assistance for Needy Families program, and state and local money. But agencies and the array of nonprofits that work with them “are first and

foremost concerned with funding the apparatus,” the child welfare system itself, White said.

“We don’t have an entitlement to shelter,” she added. “We have an entitlement to foster care.”

Caseworkers, meanwhile, don’t typically focus on helping families with housing. Smith, the Missouri Children’s Division head, said she’s trying to cultivate a culture of “not just giving families a stack of papers” to point them toward outside resources but giving them “a warm handoff.” But as Ortega’s and Lauren’s experiences show, caseworkers still usually just hand out papers. Nationally, caseworkers are “already overloaded—it’s an incredibly stressful job,” Schneider, the child welfare scholar, said. The median caseworker handles 55 cases a year. The turnover in Missouri’s Children’s Division was 28 percent in fiscal year 2025. Even if all a family needs, as in Ortega’s case, is an air conditioner, caseworkers may not have the funds—and might resist calling around to find an organization that does.

Caseworkers may also feel that this kind of work isn’t in their job description. They “have been trained to think about promoting individual responsibility,” Schneider said. Dubois, the retired family court attorney, said that many caseworkers feel they shouldn’t “enable people” by helping them: “If [clients] are unable to handle things, we’re not going to do it for them.”

The problem is poised to get even worse in Missouri. Several of the people I spoke with saw Smith as being in favor of increasing the number of removals. That’s become particularly clear in the wake of the death of Grayson O’Connor, a 5-year-old who fell

from the window of an apartment building in late 2023, after the Children’s Division had received multiple calls about him. The division has “work to do throughout the state on these types of cases,” Smith told the local ABC affiliate in response. In August, despite telling me that most housing-related reports are handled through temporary alternative placements, Smith sent a memo to all Children’s Division employees saying that they are obligated to con-

sider whether the “imminent danger” is low enough for a temporary alternative placement or the situation is too complex to make use of one. In that case, the memo instructs, staff must immediately make a request to remove the child. Immediately afterward, filings for abuse and neglect shot up from an average of 33 a month between January and July to 95 in August.

“It’s bad,” said Snell, the family court attorney, and “it’s not getting better.”

**N**

JOHN RAOUX/AP PHOTO

## “We don’t have an entitlement to shelter. We have an entitlement to foster care.”

—Ruth White, National Center for Housing & Child Welfare

**The rent is too high:** The massive expansion of corporate landlords has driven up the cost of housing nationwide.



(Scott, continued from page 31)

leverage that you have before you've got anything in return." The UK's "softly, softly" approach, as Spurrier calls it, means the government is squandering what leverage it does have, such as its ability to approve the controversial "super-embassy" that China wants to build in London or its ability to lift sanctions on Chinese officials.

The legal team regularly lobbies members of Parliament to put pressure on ministers by writing letters, passing motions, and asking questions about Lai during debates or prime minister's questions. "The only way you can force them to operate in the way you want them to operate is if they feel the political pressure," Spurrier said. Some members of Parliament, like Calum Miller, share Gallagher's view that the United Kingdom shouldn't discuss trade with China—or trust China as a trading partner—until London and Beijing seriously engage on Lai's case. With other MPs, Gallagher has a different edge because of a recent influx of about 150,000 Hong Kongers, who were given visas after the national security law was imposed and who can vote in British elections. It's in the political interest of the lawmakers who represent them to be strong on Hong Kong and defend Lai.

Meetings with lawmakers are also intended to generate public pressure through media coverage. After Gallagher met with Conservative MP Suella Braverman in May, *The Telegraph* published an article about Braverman's criticism of the Labour Party's response to Lai's case. "If the Prime Minister still held the convictions of a human rights lawyer, I have no doubt he would be acting on behalf of the Lai family. Why the silence now?" Braverman was quoted as saying.

The UK's lackluster response isn't limited to Lai's case, said Fiona O'Brien, the UK director of Reporters Without Borders, who points to the British and Egyptian writer Alaa Abd el-Fattah, who spent most of the last decade in prison before finally being released in September. The British government is siloed, O'Brien said, so elevating these cases from the foreign office to the attention of Downing Street can be difficult. David Lammy, who was recently appointed deputy prime minister after serving as foreign secretary, pledged while he was a member of the opposition to appoint a special envoy to help secure the release of British citizens detained abroad without a fair trial. That plan appears to have been placed on the back burner over concerns that it could harm the UK's trade relationships, *The Guardian* reported. "It is their duty and their responsibility to champion his cause," David Alton, a member of the UK's House of Lords, said of Lai. "In reality, trade deals seem to matter more."

In an e-mailed statement, a Downing Street spokesman did not respond to questions about criticism that the British government appeared

to prioritize trade with China over Lai's release and that Starmer has not met with Lai's legal team. "British national Jimmy Lai's case is a priority for the UK Government," the spokesman said. "We continue to call on the Hong Kong authorities to end their politically motivated prosecution and immediately release Jimmy Lai."

Lai's son Sebastien joins most of Gallagher's meetings with members of Parliament. Sebastien became the campaign's public face shortly after Gallagher was hired to lead it. The importance of family members in these kinds of campaigns is another lesson Gallagher has learned from previous cases she has worked on or observed. For example, when the British Iranian dual citizen Nazanin Zaghari-Ratcliffe was detained in Iran from 2016 to 2022, significant public pressure from her husband, who was represented by Eatwell, proved to be pivotal in pushing the British government to pay a £400 million debt to Iran to secure Zaghari-Ratcliffe's release.


Maintaining pressure—and public interest—can be difficult if the campaign doesn't involve someone with a blood connection to the prisoner, Gallagher said. When Sebastien talks to lawmakers and officials, he tends to speak not of Lai the businessman but of Lai the father. After an event organized by the team in London in May, in which it released a letter signed by 22 former political prisoners and their families urging Starmer to do more for Lai, Sebastien told me he aimed to convey that in addition to being a pro-democracy figure, his father is also a human being and a beloved member of the family. "He's also someone that wants to be back here and just spend the remainder of his days with his family," the younger Lai said.

**I**N SOME WAYS, THE LEGAL TEAM WANTS THE GUILTY VERDICT TO COME SOONER rather than later. If the team thought there was even a slim chance that Lai would be acquitted, they would pour all their efforts into that hope. But Gallagher said that Lai will almost certainly be convicted and sentenced to prison for the rest of his life. Once he is found guilty, which is expected before the end of the year, it will open up additional levers that the team can use.

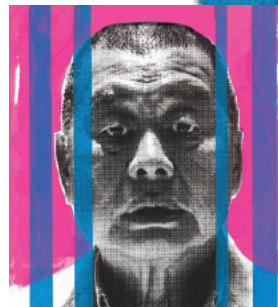
Throughout Lai's case, Hong Kong authorities have deflected criticism of Lai's detention by telling foreign governments and the media to let the judicial process play out. Prolonging the trial "just staves off international criticism," Gallagher said. "The excuses will be gone when he's convicted." Another factor, she continued, is that some governments don't comment, as a matter of policy, on ongoing legal proceedings in other countries, but they might be more outspoken once Lai is found guilty. The legal team hopes that Beijing will be satisfied with the trophy of a guilty verdict and then be open to a deal, such as releasing Lai for time served or offering compassionate release because of his age and health issues.

Still, a conviction may exacerbate a problem that the campaign has faced all along. Once Lai is convicted and sentenced, there won't be any more court hearings to generate media coverage or political interest. That's why Gallagher believes these final weeks before the probable conviction are key: "This is the time at which maximum pressure must be applied." The longer the legal case goes on, Gallagher said, the greater the chance that Lai will die in prison. But Gallagher doesn't think China wants that to happen, because then he'll become even more powerful as a martyr, like Liu Xiaobo, the Chinese human-rights activist who died from liver cancer in state custody in 2017.

"What's at stake here is a man's life, and as matters currently stand, he's going to die behind bars," Gallagher said. "We're doing all we can to stop that." **N**



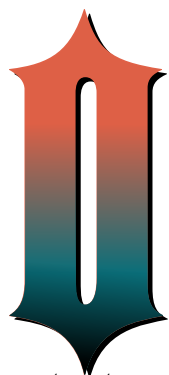
**The legal team hopes that Beijing will be satisfied with the trophy of a guilty verdict and then be open to a deal.**



# THE EVICTiON KINGS

**One of Israel's biggest companies is taking over huge swaths of US real estate—and tenants are paying the price.**

THOMAS BIRMINGHAM



OVER A YEAR AFTER DIRON KELLY FACED DOWN THE JUDGE AT HIS eviction hearing, he still remembered her question: “How did you get to court?”

He could have told her about the company that bought Conrad at Concord Mills, the Charlotte, North Carolina, apartment complex where he lived, in March 2022—the one that Kelly says installed a slew of “gadgets” he didn’t need before raising his rent by nearly \$400 a month. He could have told her about the eviction notices that the company kept filing against him—the ones that came, he says, with an onslaught of fees that virtually guaranteed he’d never fully get back on his feet.

But in the eyes of the court, it didn’t matter: He owed money that he didn’t have. So he was thrown out in May of 2024 and spent the following months homeless, showering at rest stops, sleeping in his truck.

“It’s a bully move, if you ask me,” Kelly, 49, said. “Before they came, rent was manageable. I was never late. When they took over, it became out of reach.”

The “they” Kelly referred to is American Landmark, a major corporate landlord with roughly 34,000 units concentrated in 111 mega-complexes like Conrad across eight Southern states, particularly North Carolina, Florida, and Texas. Roughly two-thirds of its properties were purchased after the Covid pandemic began, and the company, with a private-equity structure that allows investors from all over the world to bet on the growth of its real estate portfolio, is now America’s 34th-largest landlord.

Based on a review by *The Nation* and Type Investigations of thousands of eviction records from dozens of American Landmark’s properties, as well as an interview with its CEO, Joseph Lubeck, it’s clear that the company’s management

model inevitably leads to the frequent displacement of tenants like Kelly. At Conrad, the company is filing eviction notices at a rate nine times the national average. Dozens of filing rates well over double the national average were discovered across American Landmark’s portfolio. And though filings usually don’t result in an eviction if residents can come up with the rent in time, tenants and housing experts told *The Nation* and Type Investigations that they can worsen a cycle of debt and have a disastrous effect on people’s ability to rent a home in the future.

Over the past year, *The Nation* and Type Investigations spoke with 43 tenants who faced eviction cases filed by American Landmark for properties in Charlotte; Summerville, South Carolina; and Jacksonville, Florida. These tenants reported a wide array of issues they say led to their eviction cases—from steep rent increases to a blizzard of fees, including those connected to the eviction filings themselves.

“I feel like they’re predatory,” said Jeff Schuman, a tenant who was evicted in March from an American Landmark

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*Thomas Birmingham is the research fellow at In These Times and an investigative reporter based in New Haven, Connecticut.*



property in Jacksonville. “They can put a person out on the street with no recourse. You want to increase the homelessness rate because we’re short a couple of dollars? And I’m not condoning people not paying their bills. But sometimes people fall on hard times, and they should be given a chance.”

When I spoke with Joseph Lubeck, he vigorously denied that American Landmark’s practices are predatory, claim-

ing that “most residents are very pleased” and that 65 percent renew their leases. But he confirmed that rent increases are part of the company’s strategy. “When we take over a property, the first analysis we do is: How much is the rent going to go up, and how many can afford to stay?” Lubeck said. “We typically raise the rent anywhere from \$100 to \$400, so some people are absolutely displaced. Some people paying \$1,000 in a distressed apartment are not going to be able to

afford the \$1,400 we’re going to charge.”

Based on the company’s “modeling,” Lubeck said, only “55 percent of existing residents [are expected to] stay,” while the remaining 45 percent “move out.”

Whether they stay or get priced out, these tenants are also linked to a multinational conglomerate that profits from the displacement of people on the other side of the world. That’s because American Landmark is almost entirely owned by Elco, one of Israel’s largest corporations. For years, Elco, via its Electra Super Brand, has done extensive business in Israeli settlements in the occupied West Bank and East Jerusalem. Israeli settlements drive many thousands of Palestinians from their homes and are considered illegal under international law. Elco has also maintained deep ties to the Israeli military, including during the genocide in Gaza. The United Nations Office of the High Commissioner for Human Rights has cited Electra Ltd. for its activities in the settlements, and in 2024, the American Friends Service Committee put Electra on its list of companies that “directly facilitate and enable human rights violations and violations of international law as part of Israel’s prolonged military occupations, apartheid, and genocide.” Meanwhile, in a podcast appearance last year, an Electra executive described American Landmark as a “big winning card” for the company. (Elco and Electra Real Estate, the subsidiary that owns American Landmark, did not respond to requests for comment.)

For Kelly, though, there is little to celebrate in American Landmark’s success. “They really messed everything up with that eviction,” he said of his life since the day he faced the judge. “It’s been a nightmare.”

**I**N 2007, THE GREAT RECESSION STRUCK THE UNITED States. By 2010, at least 4 million families had lost their homes to foreclosure. But for Lubeck, the catastrophe was an opportunity. “I was very blessed in 2007, when there was an economic crisis,” he said in a 2023 interview with *Ami Magazine*. “It was a good time to buy.”

Over the previous decade, Lubeck, a former corporate lawyer from Philadelphia, had built an empire. In 1996, he spent “every penny” he had to buy a property in St. Petersburg, Florida, and launch Landmark

Residential, and by 2008 he’d amassed nearly \$2 billion in real estate assets. But it wasn’t enough. “I needed a bigger partner,” he said.

Around this time, Lubeck met the Salkind family, the owners of Elco, Israel’s third-largest employer, with over 23,000 employees.

Landmark Residential “had an outstanding track record, a company that was delivering fantastic returns and knew how to operate effectively in the US,” Gil Rushinek, the chairman of Electra Real Estate’s board, said on an Israeli podcast in 2024. (His remarks have been translated from Hebrew.)

In July 2008, hoping to capitalize on Lubeck’s success (and on plummeting real estate prices), Elco purchased 90 percent of Landmark Residential. By 2011, Landmark had bought \$564 million worth of real estate in the US. In the following years, the company repeatedly acquired massive portfolios, only to sell them off at a tidy profit and start again. By 2016, Lubeck and Elco had built a new \$2 billion portfolio.

That year, they sold it all again, rebranding as American Landmark and snapping up thousands and thousands of units. (“What we did was essentially transform Electra Real Estate from a traditional real estate company...into a private-equity firm,” Rushinek said on the podcast.) Today, Lubeck serves as the CEO of American Landmark and the chairman of Electra America, under the ever-growing umbrella of Electra Real Estate. Meanwhile, Electra has continued its activities in the West Bank and expanded its ties to the Israeli military.

Electra has extensive links to the settlements. In 2020, its subsidiary Electra Infrastructure landed a nearly \$150 million deal with the Israeli Ministry of Transportation, the Jerusalem Municipality, and the contractor Moriah Jerusalem

## “We typically raise the rent anywhere from \$100 to \$400, so some people are absolutely displaced.”

—Joseph Lubeck, CEO of American Landmark

**Bad dream:** Mary Napier thought her new home in an American Landmark property might be too good to be true. She was right.





Development Company to construct four tunnels in Jerusalem, which are projected to help facilitate the movement of tens of thousands of settlers. According to the Who Profits Research Center, they will allow continuous travel from Ma'ale Adumim, an illegal settlement of nearly 40,000 people, almost all of whom are Jewish Israelis, to Jerusalem without any traffic lights. Hagit Ofra, a member of the Settlement Watch team at Peace Now, an Israeli anti-settlement advocacy group, said they will make the relatively cheap housing in Ma'ale Adumim more accessible for Israelis (at the expense of Palestinians).

“For the cost of a two-room apartment in Jerusalem, you can get a five-room apartment in Ma'ale Adumim. Now, because of the tunnel, if there is no traffic, you can go through Jerusalem in 10, 15 minutes,” Ofra said.

Electra Afikim, another subsidiary, is one of the largest public transit operators in Israel, with some 450 bus lines to its name. Many of those lines provide service to illegal settlements.

Furthermore, Electra is deeply intertwined with the Israeli military. It owns Electra Power, which has been “the exclusive gas supplier of the Israel Defense Forces and the country’s Police and Prison systems services for many years,” and supplies gas to illegal settlements, according to the American Friends Service Committee. Who Profits has found that Electra also helped to construct and maintain multiple Israeli military and police training facilities.

In 2024, well into the Gaza genocide, Electra Power’s CEO said on an Elco earnings call that “the IDF is a major client. We stand shoulder to shoulder with them in facing challenges and fulfilling missions. We are likely the only supplier that can say we’ve expanded our areas of deployment.... This is a great source of pride for us.”

While there are multiple degrees of separation between Electra’s business practices and American Landmark’s operations, companies

that are even further removed have faced intense backlash as a result of their affiliation with Electra. For instance, the French retail giant Carrefour faced a global boycott for, among other things, its partnership with Yenot Bitan, an Electra-owned chain of grocery stores with branches in several illegal settlements, which contributed to Carrefour’s decision to close its branches in multiple Gulf states and culminated in widespread protests in France earlier this year.

In September, I connected with some American Landmark tenants that I had interviewed to inform them about the link to Electra and the illegal settlements. Among them was Mary Napier, a single mom who, like Kelly, had been evicted from the Conrad complex after her debts became insurmountable less than a year after she moved in.

“I’m not surprised that they’re doing people over here the same way they’re doing people over there, because we’re one and the same to them,” Napier told me. “We’re like cattle to them, like dogs. And I still don’t have a place of my own. Me and my kids are still displaced. They don’t care about us. And they don’t care about those same people in Palestine.”

In a statement to *The Nation* and Type Investigations, Lubeck wrote, “Our company has no political views of any kind and our operation here is not guided or impacted by the conflict there, which is tragic for both sides.” Lubeck also said that Electra is far from the only entity reaping the rewards of American Landmark’s success: “Some of our biggest investors are Muslim countries from the Gulf, from Dubai, Abu Dhabi, Qatar, as well as Japan and Europe. So everybody is benefiting, and it has nothing to do with Jews or Israel or any of those things.”

Tenants like Kelly, however, appear to be excluded from that definition of “everybody.”

**A**FTER AMERICAN LANDMARK purchased Conrad at Concord Mills for \$98.6 million in March 2022, things changed quickly, Kelly said.

There were a series of largely cosmetic alterations—brand-new light fixtures, cabinet doors, keyless door locks, faucet heads. The major appliances, like his fridge and his stove, were unchanged.

**Business is booming:** American Landmark owns roughly 34,000 rental units concentrated in a handful of Southern states.



**American Landmark’s parent company is deeply intertwined with illegal Israeli settlements and the Israeli military.**



Then came the \$400-a-month rent increase.

“They were basically saying, ‘Take it or leave it,’” Kelly said. Stephen Tuju, a former Conrad tenant of eight years who was facing an eviction case when I met him in February, told me that he, too, had seen a \$400 increase. Tenants at multiple American Landmark properties had similar stories. Kaitlin Donahue, whom I met at an American Landmark building in Summerville, South Carolina, was paying \$950 for a two-bedroom unit in the property seven years ago, before

American Landmark’s takeover. Now she is paying nearly \$1,600 for a one-bedroom.

“We had perfect rental history—never late, always on time,” said Jessica McIntire, another tenant in Summerville. Since 2022, her rent has jumped nearly \$400; she received an eviction notice after struggling to pay the new sum. And she’s not alone, McIntire said: “The manager told me they were getting ready to evict 12 people this month” from the Summerville complex.

An internal 2011 presentation that the company (then called Elco Landmark Residential) put together provides in-

sight into this strategy. It outlines its method of turning “working-class and young families” (described as the “broadest, most stable of Real Estate ‘food groups’”) into cash. According to the presentation, the company seeks out foreclosed or distressed complexes that can be acquired cheaply before renovating them in the way Kelly described.

These changes are then used to justify the rent increases, after which the company initiates a regime of “daily focus on rent collections”

under which “management assumes rental increase of 20% annually over 3 years.” A December 2024 financial report indicated that American Landmark was keeping up with this goal: The company reported an average rent increase of 23 percent across the three investment funds that contain its properties. (In a statement, Lubeck said that those increases “may include many renovations on thousands of units within dozens of properties” and that once rents are “stabilized,” they typically rise 3 to 5 percent a year.)

Cities like Charlotte become especially attractive to vulture capitalists under this model. In a May 2022 post in *Forbes*, Lubeck highlighted four of the South’s “hottest markets”—ones in which annual rent increases had reached anywhere from 15 to 24 percent and that would be “likely to support continued rent growth.” Charlotte was first on his list.

He was right. According to the trade website Construction Coverage—which examined US Census and Department of Housing and Urban Development data—rents in Charlotte, where American Landmark owns roughly one in every 85 units, rose by 17 percent in 2024, more than in any other major US city.

Lubeck was emphatic that the impact on tenants was minimal. “The rent increases do not lead to more evictions. Some people, more than usual, may move out,” he told me (later quipping that “if [tenants] choose to buy

**Blood money:** A 2024 protest outside Paris, sparked in part by the retailer Carrefour’s partnership with Electra, American Landmark’s parent company.

**“The manager told me they were getting ready to evict 12 people this month.”**

—Jessica McIntire, an American Landmark tenant in Summerville, South Carolina

a BMW and not pay their rent, that's up to them"). "But we're not causing evictions. We're replenishing rental stock."

Yet *The Nation's* and Type Investigations' review of thousands of eviction filings tells a different story.

**I**T WAS ONE OF THE WORST EXPERIENCES I've had in my life," said Jeff Schuman, describing the day he was thrown out by American Landmark. "I left all kinds of furniture there, thousands of dollars' worth of stuff I had to leave because they were on top of me," he continued. "I was like, 'I don't have anywhere to go and have a small child.' They don't care. They're like slumlords."

In the 2011 presentation, American Landmark made it clear that these evictions are key to its business model. At each new property, the presentation said, the company must "clean up rent roll by evicting delinquent or non-paying tenants and attracting higher quality tenants."

According to Lubeck, American Landmark's apartments house about 70,000 tenants. Based on his assessment that 45 percent of a property's original tenants won't survive an American Landmark acquisition, around 30,000 people left their homes after the company took over.

Many of those departures were prompted by eviction filings. In order to start the process of kicking a tenant out, landlords submit an eviction filing in court (though most of these, again, do not result in an eviction). Reliable data on evictions at the national level is nearly impossible to produce, but one of the best estimates comes from the Eviction Lab at Princeton University, which calculates an average eviction-filing rate based on a sample of US cities and states. (This formula includes tenants who were filed against repeatedly.) In 2024, that rate was about 7 percent—in other words, for every 100 units in the sample, landlords filed about seven evictions in court. The highest rate for any of the areas the group tracked was 24 percent. In the first half of 2025, records show, Conrad at Concord Mills was on

track for an eviction-filing rate of 67 percent, more than nine times the national average. This was no fluke: A search on the North Carolina court-records website shows that American Landmark filed 244 eviction cases against tenants at the complex in 2024. Using Eviction Lab's formula, we divided this sum by 357—the total number of units in Conrad at Concord

Mills—which yielded an eviction-filing rate of 68 percent.

These stark filing rates are partly enabled by the fact that American Landmark's portfolio is concentrated in states with very little infrastructure in place to protect tenants from exploitation. "Republican red states are very landlordist," said Rushinek, Electra Real Estate's board chair, in the 2024 podcast. "In free-market capitalism, there are few protections for the tenant. If you want to evict a tenant in New York, you will have a lot more of a challenge than evicting a tenant in Florida."

But American Landmark's eviction-filing rate stands out even in comparison with those of other landlords in these states; for instance, in 2019, the last full year that the Conrad complex was under its previous ownership before a temporary Covid-era eviction moratorium, the owners filed at a rate of 16 percent.

*The Nation* and Type Investigations were able to identify at least 29 American Landmark properties at which, in the first half of 2025, the eviction-filing rate was more than twice Eviction Lab's average, and that number grows to 41 American Landmark properties when the data from 2023 and 2024 is included. In a majority of those 41 properties, the rate has been more than double the average in multiple calendar years. All eight states in which American Landmark operates had at least one such property, and they were spread out among at least 28 different municipalities: The rate was 48 percent at a complex in Marietta, Georgia; 58 percent at Kaitlin Donahue's complex in Summerville, South Carolina; and 70 percent at a Houston complex, all of which contain hundreds of units.

Additionally, many eviction filings were concentrated in what Lubeck identified as American Landmark's "hottest markets." In the first half of 2025, the six American Landmark complexes in Charlotte for which we could obtain eviction data had an average filing rate of 51 percent—seven times the national average. Though there were many tenants in Charlotte filed against repeatedly in this period, American Landmark nonetheless threatened about 450 different people with eviction—roughly one tenant for every five units the company owns in the city. One complex in Charlotte, Celsius Apartment Homes, had the highest eviction-filing rate recorded for any of American Landmark's properties in the first half of 2025, at 82 percent. When I visited that complex, multiple units had eviction notices wedged in their doors.


I posed these figures to Lubeck. "There's no way that that [filing] data is accurate. It just does not happen, would never happen," he said. "We're not in the eviction business." Later, he acknowledged that "there may be 50 evictions filed in a 200-unit property." The company tends to file evictions once rent is 10 to 15 days past due, Lubeck said. But he emphasized that American Landmark dismisses the vast majority of eviction cases because most tenants pay the overdue balance before their court date, and he claimed that the filings alone do not affect a tenant's credit report. In other words, once American Landmark dismisses the case, there's no harm done.



**Based on American Landmark's own modeling, 45 percent of existing residents leave after the company takes over a property.**

**Landlords rule:** "In free-market capitalism, there are few protections for the tenant," Electra Real Estate's board chair said on a podcast.





Justin Tucker, who heads the housing unit at Legal Aid of North Carolina, disagrees, noting that eviction-filing records are publicly accessible. “There are landlords across the state that will not rent to you because you have an [eviction] filing—point blank, period,” he said. In most states where American Landmark’s tenants live, including North Carolina, there is no way to remove an eviction case from a

tenant’s record, meaning that people like Kelly will likely find it more difficult to obtain housing for the rest of their lives. (“The negative impact...is a result of the resident’s failure to make timely payments,” Lubeck said.)

At least six tenants in three states, including Kelly, said they discovered the depth of this black mark the hard way. Jessica McIntire, from the Summerville complex, had a typical experience: As American Landmark pursued its most recent eviction case

against her and her husband, the couple began applying for apartments in the neighboring town. “We were rejected” for all of them, she said.

## A young couple greeted me. I asked if Shania Jones lived there. The woman’s eyes lit up. “No, but... we still get her mail.”

**Locked out:** At one American Landmark property this year, 82 evictions were filed for every 100 units.

IN EARLY 2024, MARY NAPIER’S HOUSE NEAR CHARLOTTE went up in flames. Already a single mother to a toddler, Napier was also pregnant. She needed a place to stay—fast. The Conrad complex seemed like a lifeline, its \$1,400 base rent just barely within her budget. She jumped at the opportunity and moved in that April. “It was almost too good to be true,” she told me when I visited her at her apartment in February 2025. By the next month, she would be evicted.

Though Napier’s short-lived tenancy began after the rent increases had already hit the Conrad complex, her case is nonetheless emblematic of the pattern, described by many tenants, of costs at American Landmark properties spiraling out of control. First, there were the fees that many said contributed to American Landmark’s filing an eviction against them. Almost all of them are mandatory: from a \$100 “technology package” of Wi-Fi and cable to a valet trash service, pest control, fees for the complex’s amenities, and often many others. All the tenants I spoke with said the fees totaled at least \$150 per month.

At least 18 residents, in seven different buildings, told me that these costs came as a surprise to them; they reported feeling rushed through the lease-signing process or misled as to what they would owe, so that when their first bill came around, it was as though they’d been hit with an instant rent increase. When asked about these complaints, Lubeck said that the fees are included in addendums to the tenants’ lease agreements. “Everything is disclosed up front and in writing. It’s very clear,” he said, even as he admitted that he’s “sure there are cases where people don’t know what they sign.”

Napier was one such tenant. “I could cry right now,” she said, her daughter at her side. “When the first month came around and it was almost \$1,600 [because of the fees], I was like, ‘I’ve been duped.’ I knew I was going to struggle. Once you start struggling, they jump on your neck. It makes you feel hopeless.”

Then there were the costs surrounding the nonnegotiable, roughly \$100-a-month cable and Wi-Fi package that all American Landmark tenants enroll in and that cannot be paid separately from their rent. Seven tenants claimed that this package comes with an aggressive side effect—once they fell behind on rent, American Landmark disconnected the cable and Internet service.

When this happens, according to records provided by multiple tenants, American Landmark continues to charge as though the services were still connected. In e-mails provided to *The Nation* by Stephen Tuju, the former Conrad tenant, American Landmark justified this by stating that “while your internet services may currently be suspended, the Cable and WiFi are included as part of the mandatory concierge package in your rent. These charges cannot be waived.”

At least three tenants—Napier, Tuju, and Christopher Dawkins, all at the Conrad complex—reported that after their Wi-Fi was disconnected, a new \$75 “reconnect fee” appeared in their monthly bill. (Napier provided *The Nation* with her January 2025 bill, which showed both the reconnection fee and the technology package in her list of charges.)

“They’re using the [technology package] as a tool of debt collection to coerce you to pay everything,” Tuju told me. After he complained, American Landmark inexplicably notified him that it would “adjust” the fee to \$25. “There’s something wrong about that,” Tuju added. Lubeck confirmed that the company’s policy is to disconnect the technology package when tenants are late with the rent. In Tuju’s case,

“it’s possible someone made a mistake,” Lubeck said, but “everything is established and fair across the board.”

Finally, an eviction filing itself brings extra fees. Peter Hepburn, the associate director of Eviction Lab, told me that on average, landlords charge tenants roughly \$180 every time an eviction is filed. Napier was charged a \$69.50 late fee on top of \$266 in fees to partially cover the cost of American Landmark’s own attorneys. Other tenants told

me their court fees climbed as high as \$400.

“That’s why I’m still trying to play catch-up,” said Dawkins, a 30-year-old tenant at Conrad at Concord Mills, in February. For each of his four eviction cases, he told me, American Landmark charged him around \$300 in fees. “I got kids, too. When you got a lot going on, every dollar counts.”

But even as tenants pay the price, the model is working for the landlords. By the time of





**Displacement everywhere:** Electra is building a tunnel to connect this illegal settlement in the occupied West Bank with Jerusalem.

Electra’s December 2024 report, two of American Landmark’s investment funds had distributed a combined \$890 million to investors—which includes money sent back to Electra itself—since 2018. Electra projected that one of those funds would more than double the company’s initial investment. And those hundreds of millions of dollars are then funneled into a machine of Elco-owned Israeli corporations that are helping to wreak havoc on Palestinians.

**I**T WAS NEARING 6 PM AT THE Isaac, an American Landmark property in South Carolina that I visited in February. The day’s light was fading fast.

I was on the second floor of one of the many 12-unit entryways in the development, surrounded by the gray siding typical of most of the American Landmark complexes I visited. I was hoping to find a woman named Shania Jones. When the door swung open, a young couple greeted me. I asked if Jones lived there. The woman’s eyes lit up. “No, but...” she said, turning to rummage through a bin behind her, “we still get her mail.”

It was the fourth time that day when, rather than finding the tenant facing eviction, I was instead met with a different, young family. Leftover mail was often the last trace of those who had fallen prey to the company’s promise to “clean up” their properties to “attract higher quality tenants.”

There were also traces of soon-to-be-former American Landmark tenants at the Mecklenburg County Courthouse, where Charlotte’s eviction cases are adjudicated. When I visited on February 10, tacked up on bulletin boards were records from 36 eviction cases among the company’s 2,400 units in the city. Two days later, there were 18 more. Among those cases was Napier’s.

When I followed up in August with the American Landmark tenants I had spoken with earlier, at least seven had moved back in with family or friends—largely into spaces not meant to hold so many people, in a sign that the evictions filed against them may have severely restricted their options. Napier, her kids, and her mother, for example, moved into her sister’s three-bedroom townhouse this summer, bringing the number of residents there to seven. It’s her third home in two years, and in that time she’s gone from a three-bedroom house to sharing a single room with her children. “I’m living out of bins, out of bags, out of suitcases,” she said. “I don’t know what’s next. It’s kind of dark.”

Diron Kelly, meanwhile, is a warning of what

could happen next. With nowhere to go after his eviction, he found his way to a nearby shelter. “I tried, but there was [nothing] available,” he said. “It just didn’t work out.” He spent months homeless, in his truck, before eventually moving to Georgia, where his sister had some extra room.

Lubeck said that while “a number of people are not going to be able to afford what we do” and that he “can’t sugarcoat that,” it “doesn’t mean they have to go homeless.”

Meanwhile, Lubeck’s parent company is profiting from the displacement of Palestinians living under occupation 6,000 miles away.

**I**N AUGUST, I CONTACTED THE UNITED NATIONS HUMAN RIGHTS OFFICE TO ASK about the implications of a circumstance like this, in which a company the office has flagged for involvement in Israeli settlements has a large US subsidiary profiting off tenants like Kelly. A spokesperson, Thameen Al-Kheetan, told me, “States should implement their duty to protect and ensure respect for human rights, including by setting out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations.”

The chances of that are slim.

President Donald Trump is not only a landlord but leads a country that has long helped the Israeli government and its corporate partners like Electra to evade the consequences for their role in perpetuating the settlements and the ongoing genocide in Gaza. (For example, the United States was one of the few countries that voted against allowing the UN to provide annual updates to a database of settlement-linked businesses in which Electra’s name appears.) And by Electra’s own admission, the company has deliberately concentrated its US operations in Republican-controlled states that are especially unlikely to pass anti-landlord legislation.

Unless this changes, there are sure to be more people displaced at the hands of this conglomerate every year. More evictions. More illegal settlements. More profits for Electra and American Landmark.

More room left behind in a home that used to be someone else’s.



**“Me and my kids are still displaced. They don’t care about us. And they don’t care about people in Palestine.”**

—Mary Napier

*This story was produced in partnership with the nonprofit newsroom Type Investigations, with support from the H.D. Lloyd Fund for Investigative Journalism. Samah Wattad contributed additional research.*

# THE DELIBERATE DECIMATION OF THE FEDERAL WORKFORCE

Systems built up over the past 120 years are  
being either eliminated or corroded at warp speed,  
with the implicit blessing of the US Supreme Court.

S A S H A A B R A M S K Y

AT 2:33 PM MOUNTAIN TIME, ON FEBRUARY 27, 2025, NATASHA MILES'S WORLD FELL APART.

**A**The 53-year-old had been driving west for five days. She was heading toward a new home and a new job after spending decades working at Penn State, where she'd earned her PhD in atmospheric science and had been a research professor in its Department of Meteorology and Atmospheric Science. In recent years, she had received grant money from the National Oceanic and Atmospheric Administration for her projects and had also served as a consultant for the agency. Her contacts there had been encouraging her join NOAA full-time, and after grappling with the prospect of leaving academia, she had said yes.

Miles was at a point in her life when she wanted to shake things up a little. Her two sons were grown. Her husband, a supercomputer expert, had moved to Illinois to take a job at the state university in Urbana-Champaign. And she had become weary of the endless hustle for grants to fund her research and supplement her salary; far better, she reasoned, to take a federal job with stable pay and benefits.

"The job was perfect for me, working with a group of people who are really great and dedicated to climate science," she said. She would be part of the largest network in the world dedicated to measuring the concentration of CO<sub>2</sub> and methane in the atmosphere, working alongside people who flew planes to take measurements, who climbed up high towers to place instruments, who ran global projects to capture air samples and ship them to NOAA's office in Boulder, Colorado, for analysis. Cumulatively, this work made it possible to produce extraordinarily accurate data about changes in the atmospheric levels of greenhouse gases from one year to the next.

By the time all the paperwork was completed, in January 2025, election season had come and gone, and Donald Trump was back in the White House. Miles calculated what she would need in her studio apartment out West, and loaded those must-have items—clothes, ski gear, tennis racket, backpack, sleeping bag, and a few household items—into her dark blue Hyundai Tucson hybrid SUV, kitted out with a travel cage for her dog, Mia. On February 22, she looked around her house, which she had decided not to sell just yet, walked out to

her vehicle, and set off on the 1,600-mile road trip.

An hour outside of Boulder, Miles's phone began to ring. Her new boss was on the other end of the line. "Have you checked your e-mail?" she asked. Miles hadn't; she'd been driving. "You need to."

Miles took the next exit off the freeway, pulled her SUV to the side of the road, and opened her e-mail on her laptop. There it was, in black and white: The scientist's job no longer met the needs of the new administration and was being eliminated. As of 5 PM that day, Miles would no longer be a federal employee. She sat in her car—Mia whining in the cage behind her—flabbergasted. "You're supposed to be saving for retirement at this point," she thought to herself.

And then she thought, "Who on earth is going to do this job now?"

**B**Y NOW, THE GUTTING OF THE FEDERAL WORKFORCE IS one of the most widely reported stories of Trump's new term. But it's also the least understood.

After the inauguration, the second Trump administration didn't waste any time carrying out Project 2025's fever dream of eviscerating the federal workforce while putting the remaining workers "in trauma"—as advocated by Russell Vought, the new director of the Office of Management

*Adapted from American Carnage: How Trump, Musk and DOGE Butchered the US Government, out in January 2026.*





and Budget. The principal author of Project 2025, Vought was aided by the newly created Department of Government Efficiency (DOGE) and its leader during the first four months of Trump's second term, Tesla CEO Elon Musk. All told, the non-military federal workforce will be reduced from about 2.4 million to about 2.1 million by December, according to Scott Kupor, the director of the US Office of Personnel Management. This elimination of one in eight workers represents the largest fall-off in federal employment since the end of World War II. Departments and agencies concerned with workplace and financial regulations, public health, the environment, income inequality and racial diversity, education, and overseas aid have borne the brunt of this attack, even as other agencies, particularly those carrying out Trump's ferocious anti-

**"It's about punishing federal employees and trying to make federal employment less attractive."**

—Andrew Huddleston,  
American Federation of Government Employees

**Russell Vought** (right), now the director of the Office of Management and Budget, was the principal author of Project 2025.

**Mass protests** (below) have erupted nationwide against Trump's cuts to the federal workforce.

immigrant agenda, have had money showered on them. The unions that represent federal workers have opposed these changes, but their ability to fight back has been limited by the executive order Trump signed that ended the right to engage in collective bargaining for workers in agencies related to national security. In May, the US Court of Appeals for the DC Circuit allowed the union-busting measure to go into effect in some agencies, and over the summer, a panel of judges from the Ninth Circuit Court of Appeals allowed the de-unionization effort to continue across the board. As a result, according to estimates from the Center for American Progress, more than 1 million workers, in over a dozen federal agencies, have been stripped of collective bargaining rights. This marks the biggest union-busting operation in US history.

"The Trump administration has taken power away from workers to speak up about conditions in the workplace, to be an advocate for good government. It sends a chilling effect for whistleblowers. It's really devastating," said Steve Smith, deputy director of communications for the AFL-CIO. "Not that it's a surprise—because Project 2025 pretty much laid it out."

Making conditions even worse for federal employees, Trump's team has pushed to recategorize tens of thousands of civil servants so they can be fired at will by his administration, leaving workers across the federal government particularly vulnerable to shifting political winds, and making it easier for DOGE to effectively dismantle entire agencies and bureaus, as happened to the United States Agency for International Development (USAID).

Taken as a whole, says Andrew Huddleston, director of communications at the American Federation of Government Employees at the time I interviewed him, "it's about punishing federal employees and trying to make federal employment less attractive."

This crude reimagining of the role that government workers play in American life is devastating for those who rely on federal services, and it is catastrophic for those who built their careers providing these services and planned out their lives on the assumption that their public-sector employment would provide them with security as they aged.

Despite the scale of this transformation of the federal workforce, media coverage has failed to fully convey what's being lost. After focusing intensely on the drama of DOGE's rampage through federal agencies in February and March, the media moved on, reporting instead on each new daily outrage or provocative Truth Social post. In doing so, it dropped the ball on covering what will likely be one of the most durable aspects of Trump's legacy: his administration's deliberate hamstringing of large parts of the federal government, and the abysmal failure of the government to keep up its end of the social compact with its own workers and with Americans who rely on a functioning government for essential services.

Systems built up over the past 120 years, from Progressive Era regulatory agencies through New Deal and Great Society social programs, and on to the expansions of healthcare and food stamp programs of the past 15 years, are being eliminated or eroded at warp speed, as is the notion of a professionalized civil service largely insulated from the diktats, the cronyism, and the vengeful impulses of a single leader. And

while many lower courts have, when presented with lawsuits by government employees' unions and other affected groups, attempted to slow this process, the Trumpified Supreme Court has largely rubber-stamped it, even if only temporarily.

As a result, the redistributive power of the federal government—one that made great projects such as the electrification of poor rural areas and the construction of national transportation systems possible—is being cast aside. And the ability of the federal government to use its muscle to expand civil and political rights to historically marginalized groups is being deliberately destroyed.

This is the type of labor that Trump has said "we never wanted, and we're probably not going to allow them to come back," as his administration has sought to carry out additional mass firings during the government shutdown that began on October 1—layoffs that were temporarily halted by the courts but that nevertheless served to further erode trust between citizens and their elected leaders. The damage Trump's administration has inflicted at all levels of society is profound. One 24-year-old worker at the IRS offices in Seattle, who took DOGE's "Fork in the Road" buyout offer after months of insecurity around his job, told me, "I feel like our whole government is compromised, which sucks."

When I asked this worker in May, as the cuts were accelerating, what he wanted government leaders to know, he said he would like to ask



Elon Musk a series of questions. “I’d ask him why he’s firing good people, why he’s lying about their performance, [and] how is this efficient? I’d ask why he doesn’t tell people that he’s paying people to do nothing,” he said, referring to the tens of thousands of federal employees who were put on administrative leave but still paid for months on end before finally being fired. “I’d ask how he thinks it’s fair to fire people with families, who can’t get jobs in this market. And I’d ask how it’s good for the country.”

**I**N MID-FEBRUARY, ADRIAN M. RECEIVED AN e-mail informing her that she was being fired from her job as a communications specialist at the Centers for Disease Control and Prevention because her performance wasn’t up to par. Hundreds of other probationary staff at the CDC received similar missives. The letter infuriated her. Adrian, who lives in rural Tennessee, had long faced being stereotyped because of her race and gender—the assumption that Black women were angry, emotional, quick to fly off the handle. And she knew that, too often, they were seen as people who had gotten their education and their jobs only because of affirmative action, or DEI, as MAGA people liked to put it.

Adrian had always hoped to find a permanent position at the CDC. She was fascinated by public health, and the agency was seen the world over as the gold standard in that field. But it took several years, and several detours, before she was finally able to realize her dream.

In September 2024, after working for a couple years on a CDC-funded public health fellowship focused on chronic diseases, health-literacy campaigns, and health issues related to air quality, she finally got the message she had been waiting for. At last, she had financial stability and could afford improvements to her home. But just a few short months after beginning her new job, she received the message. The subtext of the explanation for her firing stung. After repeatedly railing against diversity, equity, and inclusion initiatives during his campaign, Trump had grotesquely insinuated, days after his inauguration, that DEI hires in the military and the Federal Aviation Administration were responsible for a fatal air crash over the Potomac River. “I’m being called a poor performer, and my knowledge and skills don’t meet the needs of the agency,” Adrian said incredulously. “My knowledge and skills came from the agency. I wouldn’t have had my job if my skills weren’t good.”

Of all the policies being implemented by Trump 2.0, the gutting of federal employment and federal services ranks at or near the top for



its disparate racial impacts. The Economic Policy Institute estimated earlier this year that Black people, who represent 14.4 percent of the US population, make up nearly 19 percent of the federal workforce. Meanwhile, the Labor Department reported in August that Black unemployment had jumped to 7.5 percent, up more than a percentage point from a year earlier. Black workers were the only demographic to experience such a surge in unemployment. In the five months leading up to July, the number of Black women in the workforce declined by a startling 319,000. While there is no detailed breakdown of the number of Black people who lost their federal jobs, it’s hard to see how the DOGE cuts, decimating the federal workforce and creating ripple effects throughout the broader economy, could not have contributed to the rise in Black unemployment.

For three generations, since the establishment of Lyndon Johnson’s Great Society, programs have existed to enable people who have historically been on the wrong end of the country’s racial calculus to climb into the middle class. But under Trump and Vought, these ladders are being taken down at speed. So, too, are the networks of government services, from state-funded healthcare and food stamps to Head Start, that were designed to counter the systemic racial discrimination that has kept non-white populations disproportionately unemployed and impoverished.

Trump’s efforts to undermine the esprit de corps of government employees, and to break the ties holding together the federal workforce, speak volumes about his priorities. Skilled scientists, data managers, doctors, public health officials, and financial regulators, among others, don’t enter federal employment to get rich—federal jobs pay less than do their equivalents in the private sector—but to make a difference, to better the lives of their neighbors and their fellow community members. At the onset of Trump 2.0, the president and the world’s richest man chose to take a chain saw to those communal bonds.

“The government didn’t just illegally fire a bunch of random people. They fired employees who decided to dedicate our lives to, in a myriad of different ways, making the lives of other humans better,” said Kelsey Hendrix, a blind woman who worked as a contract specialist for NOAA in Silver Spring, Maryland, and was fired during the early DOGE purges. “We are also people who have had it drilled into our



**Natasha Miles** (above) moved from Pennsylvania to Colorado for a new job at NOAA, only to learn that her position had been eliminated.

**Of all the policies of Trump 2.0, the gutting of federal employment and services ranks at or near the top for its disparate racial impacts.**

**Elon Musk** (left) helped Trump aggressively upend the federal workforce through his so-called Department of Government Efficiency.



heads since the day we took the oath of office that we are a team, not just individual people, and that everyone has an equally important part to play on that team.”

Dan Meleason was one of about 6,000 veterans who lost their federal jobs earlier this year. He had served over two decades in the military before taking a job with the US Forest Service. When I interviewed him in May, he was still fuming: “I question why I wanted to come back in federal service. I get kind of depressed because of that.” He had thought that, because his work helping to mitigate the risk of forest and grassland fires in the West was so clearly important, it would be treated with respect. Instead, he came to think, the government viewed him as entirely disposable. “It’s not what I expected when I re-signed up to work for the people of the United States. It truly isn’t,” he said.

**D**AYS AFTER RUSSELL VOUGHT WAS APPOINTED ACTING DIRECTOR OF THE CONSUMER Financial Protection Bureau in early February, shadowy DOGE operatives started meeting at the agency’s office. Since the CFPB’s founding in 2011, Republican politicians have not hidden their disdain for it. During his first term, Trump mused about trying to close it down but opted

**Fired federal workers protest against Musk and DOGE’s efforts to eliminate the Consumer Financial Protection Bureau.**

instead to appoint Mick Mulvaney—a conservative congressman who had spent years railing against the bureau—as acting director, perhaps hoping to kill it off slowly, via a thousand cuts. Mulvaney was empowered to trim some of the bureau’s functions and reorient its work toward encouraging low-income Americans to save more money, rather than going after bad actors in the world of finance. Since then, Republicans have doubled down on their hostility toward the bureau, and GOP lawmakers now seem content to let Trump kill off, in all but

name, an agency that was created in the wake of the 2008 recession.

In 2014, David (a pseudonym), who had launched a successful anti-poverty nonprofit working in the conservative Deep South, was hired by the CFPB. Born in Brazil to a Colombian mother and an American father who had served in the Peace Corps in Latin America before the family moved to Maine in 1977, David had witnessed the challenges of poverty from a young age.

After his parents split, his mother raised him, his twin brother, and another sibling in a house with no indoor toilet, working at a factory and struggling to make her paycheck cover the monthly bills. David’s job at the CFPB is to develop national

strategies and community partnerships aimed at protecting people from predatory lenders. It would, he hoped, give him “an opportunity to reach millions of consumers with low income across the country.” He would have the chance to intervene in situations where the poor were forced to pay more to access basic financial services and faced endless fees for using credit cards and other financial tools. But in February 2025, everything changed.

Vought’s henchman, Mark Calabria, who was an adviser to Vice President Mike Pence during Trump 1.0 and is now the chief statistician for the Office of Management and Budget, ordered the CFPB’s 1,500 employees to stop their work. Hundreds of investigators, economists, lawyers, and consumer advocates were told to cease doing what the bureau was established to do—protect consumers. Vought closed the CFPB’s headquarters and attempted to deprive it of all funding by notifying the Federal Reserve that it didn’t need any additional funds.

Rumors circulated that the entire CFPB staff was going to be sacrificed in a planned Valentine’s Day massacre. In response, the National Treasury Employees Union went to court seeking a temporary restraining order against the cull. They got the order. Thus, instead of being fired in February, the vast majority of workers at the CFPB were put on administrative leave. Mothballed. Like tens of thousands of other federal employees in agencies the new administration had in its sights, they would be paid to do nothing. Or at least that was how they understood it, based on the e-mails they had received. But that wasn’t how the Trump team presented it to the public. When Trump’s nominee to head the CFPB, Jonathan McKernan, testified during his Senate confirmation hearings in late February, he stated that his application wouldn’t have been processed if no one was working. “He either lied or he didn’t know,” David concluded. “Everyone’s supposed to be working, but no one is.”

Meanwhile, investigations into predatory lending went undone, and consumers found they had one less institution in their corner in DC. That means that poor Americans will likely end up paying higher credit-card interest rates; will be stuck with ever more fees on ever more services, including on overdrafts; and will be targeted by predatory mortgage practices, exploitative private student loans, and so on.

Similar vandalism was inflicted on a score of other agencies. By spring, USAID had been largely dismantled, its lifesaving anti-famine and medical work overseas grinding to a halt, with thousands of staff stateside and tens of thousands of workers and contractors abroad fired or put on administrative leave, leaving millions of people more vulnerable to infectious diseases such as

**“I question why I wanted to come back in federal service. I get kind of depressed because of that.”**

—Dan Meleason, former US Forest Service employee

malaria and polio, as well as to malnutrition and waterborne illnesses. In April, Boston University health economist Brooke Nichols estimated that due to a lack of access to medicines and treatments, 119,000 children and 57,000 adults had already died as a result of USAID's destruction. By the end of the summer, the tracker estimated, over half a million people globally had died, with a startling 88 deaths per hour.

Crucial parts of NOAA's weather forecasting and climate-change prediction work were also put on ice, leaving communities at greater risk of weather-related disasters. The Education Department was eviscerated, making it ever harder to level the educational playing field for disabled and financially disadvantaged students. The Corporation for Public Broadcasting, along with nearly all federal funding for public television and radio, was eliminated. The Voice of America was largely demolished. Throughout the first months of the second Trump administration, new cuts were imposed almost daily, as a result of which, in one corner of government after the next, vital, frequently lifesaving work was simply cast aside with no regard for the consequences.

During the government shutdown, the White House only escalated its threats against the federal workforce. Its mass layoffs at several agencies were temporarily blocked by a federal court, but Trump also threatened to not issue back pay to furloughed workers, began withholding billions of dollars of funds promised to Democratic-run states, and started to cut "Democrat"-favored government agencies and offices.

As Trump does everything he can to hollow out vital government functions that had been mandated and funded by Congress over the past several decades, tens of thousands of federal workers have been put on a never-ending roller-coaster ride, much like Natasha Miles. After a series of court rulings in the spring, Miles was grudgingly rehired by NOAA. But she was then immediately placed on administrative leave— forbidden to do the work that she had been hired to do. And a few weeks later, as the court cases wound their way through the system, she was fired again.

In April, Miles learned that she could get her old job back at Penn State. On the eve of Mother's Day, the ex-government worker arrived back at her house in Pennsylvania. Her sons would take her out to a Mexican restaurant for lunch the next day. When she moved into her studio in the mountains above Boulder, she had wanted to make it seem like home. To tuck things away, to hang things up. Now she couldn't even bring herself to unpack. "Anything that I didn't need immediately is still piled up in boxes and bags," she said some weeks later. Her new-old job—reliant as it was on federal grant money in an era of unremitting federal hostility to climate-change research—could disappear at any moment. **N**

## Starting Over in Mexico

**W**ithin 24 hours of arriving in San Miguel de Allende, Karen decided to permanently leave the United States and become one of the many recent US immigrants to Mexico.

Four months before visiting the city, the 55-year-old had been terminated as part of the Trump administration's January 20 executive order suspending the US Refugee Admissions Program. Karen, who asked me not to use her full name because of her current immigration status, says through a haze of tears, "It's hard to explain the compound grief involved in seeing a sector that did nothing but good just destroyed," adding that much of the program's work involved rescuing victims of sexual exploitation.

"The day that I got my notice, 3,000 of my colleagues around the world got their notice," Karen says from her modest two-floor, two-bedroom apartment in a neighborhood not far from the center of the city. "The people who are coming through the US Refugee Admissions Program, they've gone through a minimum of two years of background checks. I can't even tell you how extensive these checks are.... This idea that there are rapists or whatever coming is just total bullshit. We're talking about people who waited in refugee camps for 10, 15 years to resettle."

Karen was born in the US but grew up mostly in Japan, where her father, a conscientious objector during the Vietnam War, fulfilled his alternate service teaching English. Karen is a "third culture kid," a term coined in the 1950s by the American sociologist Ruth Hill Useem that refers to someone who spends their formative years in a culture different from the one in which their parents were raised.

After attending college and graduate school in the United States, Karen lived mostly in other countries, including Cambodia, Thailand, and Papua New Guinea, where she worked in anti-trafficking programs. She was living in California in 2023 when she took a job as a humanitarian worker contracted with the United Nations in Washington.

During her time in DC, more than 100,000 refugees (many from Afghanistan) were resettled in the US, according to the Migration Policy Institute. It was the highest number of admissions in any single year for the past three decades. "We did that in anticipation that Trump would severely curtail [the program]," Karen says. "We did not think that he would just end a program that had been operating for 20 years."

It was a long-time friend from her childhood in Japan who told Karen to

check out San Miguel. "You can live a lot more cheaply. It's a wonderful, warm, friendly, welcoming community," her friend said, adding, "It's not going to be a cakewalk," but it was something she could handle.

Karen took him up on the idea in July and found refuge in a \$650-a-month apartment in Colonia Guadalupe, a barrio known for its vibrant murals and street art, featuring abstract images and depictions of Huichol mythology.

San Miguel has been a destination for US immigrants since the 1930s. The American artist Stirling Dickinson was part of the first wave of artists drawn to the city, which is famous for its cobblestone streets and for La Parroquia, the towering neo-Gothic church of pink stone in the center of town. In 1951, Dickinson became the director of the Instituto Allende, a cultural hub and art school that attracted a slew of prominent American artists and writers, including the Beat Generation icons Jack Kerouac and Neal Cassidy, as well as many World War II veterans who used the GI Bill to study art there. In 2008, the city and the nearby Sanctuary of Jesús Nazareno de Atotonilco were designated as UNESCO World Heritage sites.

"I feel that the community here really understands me, both Mexican and expats," Karen says, referring to the influx of Americans who've relocated to the city since Trump was first elected president in 2016. "My landlord is wonderful, and I explain to him everything that's going on. Of course, Mexicans are horrified looking at what's going on in the United States."

Karen is terrified that she won't be able to qualify for a permanent resident visa in Mexico, which requires a monthly income of around \$6,900 or a bank account balance of at least \$279,000. After years of working outside the US and for the UN, she doesn't qualify for unemployment, and her salaries have always been moderate, but she's determined to stay where she is and out of America. "The administration doesn't want me. I personally don't feel safe there. I know I'm not the only person who feels that way."

On her trek from Los Angeles to San Miguel, Karen says she saw what appeared to be Mexican Americans on the road driving south in cars pulling trailers piled high with furniture and other personal belongings covered in tarps. "It almost looked like *The Grapes of Wrath*.... Good on them," she says.

—Rebekah Sager

*Rebekah Sager covers race, culture, and reproductive rights.*





## The People's Government

*How can we fix American democracy?*

BY NICHOLAS LEMANN

**D**EMOCRACY IS GETTING TO BE ONE OF those words that, at least in our day-to-day political debates, has become essentially meaningless: Because you can't be against it (openly, at least), whatever you disapprove of must represent a profound betrayal of it.

When Democrats are in power, Republicans think our democracy is imperiled; when Republicans are in power, Democrats do. Specific cases can be difficult to parse if you're not using this which-side-are-you-on standard. If, for example, President Donald Trump, an elected official, wants to fire the chairman of the Federal Reserve Board, appointed by him and confirmed by the Senate, is that antidemocratic?

ILLUSTRATION BY LILY QIAN

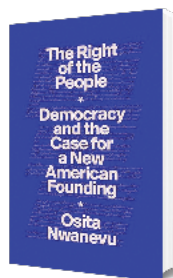
Is gerrymandering, understood to mean the misuse of a state legislature's power to draw legislative districts, antidemocratic in principle, or is it merely a correctable misuse of the legislature's legitimate power? Is the Trump administration's multifront assault on science and expertise antidemocratic? Are electoral reforms such as early voting and voting by mail essential elements of a democracy?

A great virtue of Osita Nwanevu's new book, *The Right of the People*, is that it aims to define democracy in a precise and rigorous way so that it can become clear what it is and isn't, at least by his lights. Nwanevu is a journalist, with the advantage in felicity of expression that this entails, but unlike most journalists, he is also highly conversant in political philosophy and political science. Having surveyed the lengthy history of democracy as both a practice and an ideal, Nwanevu contends that its American form needs to be remade—or, to be more faithful to his account, it needs to be made truly meaningful for the first time—by linking voting to governance much more tightly than it ever has been. As a result, *The Right of the People* offers us a view of democracy that is not completely reverse-engineered from the present moment. It also provides a useful opportunity to think about what a much more popular form of government would look like and what its advantages and disadvantages might be.

**T**he *Right of the People* opens with a useful, though necessarily partial, overview of the idea of democracy that begins in ancient Greece and proceeds to the founding and early years of the United States. Nwanevu argues that democracy boils down to three essential characteristics—equality, responsiveness to the needs of the society, and majoritarianism—that provide the foundation for three values: participation, deliberation, and representation. I won't go through all of these elements one by one, but it's obvious that Nwanevu's ideal version of a democratic government is one that hews very closely to the wishes of a universal voting public—and, he notes, that form of government has never existed, now or in the past.

Nwanevu reminds us that the political thought and practices of ancient Greece were not especially democratic: Aristotle considered elections “oligarchical,” and Plato “described democratic society as chaotic and decadent.” The democracy that did exist in Athens was “mostly nonsense,” Nwanevu writes, because so many Athenians were excluded from citizenship and participation in decision-making. The United States at its founding was not meaningfully better; the idea that the authors of the US Constitution invented modern democracy, he argues, is just

*Nicholas Lemann teaches at Columbia University and is a staff writer at The New Yorker. His most recent book is Returning: A Search for Home Across Three Centuries.*



### The Right of the People

*Democracy and the Case for a New American Founding*  
By Osita Nwanevu  
Penguin Random House. 384 pp. \$31

as ridiculous as the idea that Athenian thinkers did.

It isn't merely that the idea of voting rights as being essential was not broadly held among the delegates to the Constitutional Convention, let alone universal. The system as a whole was designed to minimize the ability of citizens to select their government officials: Most power was left to the state governments, and in the national government, judges were appointed and senators were selected by state legislators, while presidents were chosen by electors, leaving members of the House of Representatives as the only elected federal officials. Not only was the United States not founded as a democracy, but no other country was either, at least through the very end of the 19th century, because, among other deficiencies, women weren't allowed to vote.

Nwanevu's view of the American founding is that, rather than being motivated by caution about majoritarianism (or, to use Tocqueville's famous phrase, “the tyranny of the majority”), our system's basic design can most usefully be seen as a successful effort by the rich to establish a nation that would disempower the poor. He believes that fear of the economically struggling mob, triggered especially by Shays's Rebellion, an uprising of debtors in rural Massachusetts

in 1786–87, dominated the thinking of the framers of the Constitution.

The “ostentatiously conservative” Alexander Hamilton and the “intensely alarmed” James Madison, as Nwanevu describes them, persuaded their colleagues (who may not have needed much persuading) that the United States should be a republic rather than a democracy—and the wrong kind of republic at that. Nwanevu proposes that there have always been two kinds of republics, democratic and aristocratic: “Democratic republicanism hopes to reduce domination by disempowering the wealthy and addressing economic inequality. In aristocratic republicanism, on the other hand, reducing domination often means defending the wealthy from others, including the masses.” The United States was and in most ways remains an aristocratic republic, born of “the fear that democratic action had posed a dire threat to property rights and a minority group that merited special protections—wealthy elites.”

**W**hen Nwanevu turns to the present, his main foils are writers and pundits who share the framers' suspicion of direct democracy. Chief among these are Jason Brennan, the author of *Against Democracy*, and Christopher Achen and Larry Bartels, the authors of *Democracy for Realists*. Both books were published in 2016, the year Trump was first elected president, and they struck a chord with liberals concerned about misinformation, polarization, and populism as forces powerful enough to win elections. For Nwanevu, these writers' popularity among liberals reminds us that liberals can't be counted on any more than conservatives to propose a version of democracy that is truly attuned to what voters want.

Brennan presents Nwanevu with the fattest target, because he favors replacing democracy with “epistocracy,” a system that would enfranchise only the knowledgeable, recalling the Southern literacy tests of the Jim Crow era. Achen and Bartels, more moderate as well as more highly esteemed in political-science circles, aim to discredit what they call the “folk theory of democracy”—the idea that we should trust the wisdom of voters as the guiding force in our political system. (Their book's subtitle is “Why Elections Do

Not Produce Responsive Government.”) While Nwanevu would simply consider this “folk theory” as democracy itself, Achen and Bartels present a series of arguments for distancing the government from the voters; they find merit in mediating structures like parties, interest groups, and protected domains of expertise. “In every society, policy-making is a job for specialists,” they write.

Achen, Bartels, and Brennan can be understood as operating in a larger tradition of American intellectuals who have worried about the tensions between universal political enfranchisement and a government that handles complex issues on the basis of reliable information that voters can’t possibly have. Nwanevu does not share in this skepticism toward the voting public. In a democracy, he contends, people should have the right to vote on the basis of their interests and overall preferences, rather than on whether they are well-informed about specific issues. Poll results showing how little voters know don’t trouble him, because Nwanevu trusts their instincts and their capacity to vote in their collective interest. Just about everything he proposes, once he gets to laying out a program, proceeds from that trust.

The House of Representatives, Nwanevu argues, should have many more members, so that each district would have fewer voters than 760,000, which was the 2020 average. It should also have proportional multi-member districts, so that minority views would be better represented. The Senate could abolish the filibuster, which makes it impossible to pass most bills by a simple majority vote, and it should be redistricted by population instead of by state borders. Or maybe, Nwanevu posits, it should simply be eliminated.

On the Electoral College, Nwanevu is less equivocal: It should definitely be abolished. He is no more enthusiastic about the Supreme Court, whose power to overrule laws it deems unconstitutional he regards as unjustified. He is for expanding the court’s membership, as long as the expansion entails the addition of liberal judges. Territories like Puerto Rico and the District of Columbia, Nwanevu adds, should become states. The Constitution should become much easier to amend, but that would be only a temporary fix on the way to the real solution: completely rewriting it

to give voters more direct say in their government’s decisions.

As you can see from all this, Nwanevu is confident that if the United States were a true democracy, it would move to the left. This confidence rests on his assumption that democratic politics is essentially materialist, so that a system that gives every citizen a truly equal voice would naturally skew away from policies that favor the rich in the way our system does today. True political democracy will naturally lead to economic and social democracy. The best way to help the country achieve the latter, he contends, is not only to empower citizens at the ballot box with a greater range of choices and decisions, but also to make civil society and the economy more democratic. The long-declining union movement should again be empowered to play a vital role in shaping labor relations, through laws that remove the barriers to organizing, mandate worker participation in corporate governance, and encourage employee ownership of businesses. Besides their obvious advantages, these changes, Nwanevu argues, would accustom workers to participating actively in the pursuit of their interests and so would build the skills that would then flow into the realm of politics.

**T**he *Right of the People* is obviously not a hastily produced book. Much of it is historical, but its more contemporary arguments also clearly took time to develop, and as a result they reflect the moment when the book was written: during Joe Biden’s presidency, when we were still powerfully in the shadow of Trump’s first term and the January 6 insurrection.

But the moment we’re in now, with Trump back in power, feels different. In the Biden years, it was possible to argue confidently that Trump could not become president in a true democracy of the kind Nwanevu has in mind—after all, he lost the popular vote in 2016, and then tried to overturn the election results in 2020 when he lost that vote again (as well as the decision in the Electoral College). In the Biden years, it was possible to think, or at least to hope, that the Republican Party wasn’t actually making significant

inroads with the working-class voters that Nwanevu puts at the center of his ideal version of politics. And it was also still possible to think of nonelective institutions within and adjacent to the government as being of secondary importance, compared with the centrality of those government institutions closely tied to the popular will.

But now, with the democratically elected Trump administration waging war on the law, on democratic norms, and on the rights of citizens, it no longer seems inarguable that lowering the guardrails the Constitution put around direct democracy would be wonderful. Working-class voters don’t seem to be reliably on the left—at least

without further political organizing—and on the economic issues Nwanevu cares about most, neither does the Democratic Party. As he points out, the presidential candidate who effectively ended the practice of federal funding for campaigns, because he thought (correctly) that he could raise more money without it, was Barack Obama. In 2016, Hillary Clinton raised more money from rich donors than Trump did. Even Zohran Mamdani, in his version of socialism, stresses generous government benefits far more than the union organizing and worker empowerment that Nwanevu considers essential. Some working-class voters, especially if they are white men, also privilege cultural conservatism over economic liberalism in choosing whom to vote for.

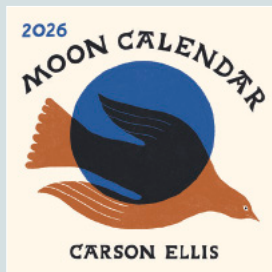
Nwanevu is unshakably confident that a political democracy reengineered to be far more responsive to voters’ political preferences will produce a more economically and socially democratic country. But to feel so certain requires believing that any political energies that would be unleashed by such a process of dramatic democratization would be progressive. It also requires feeling certain that the ruling elites of today, faced with a political system more directly responsive to popular opinion, would not find new ways to manipulate it to their advantage.

Without descending into democracy skepticism, it’s possible to wonder if we should be more cautious, less sanguine, about purifying the connection between government and voting through

**True political democracy, *The Right of the People* argues, leads to social democracy.**



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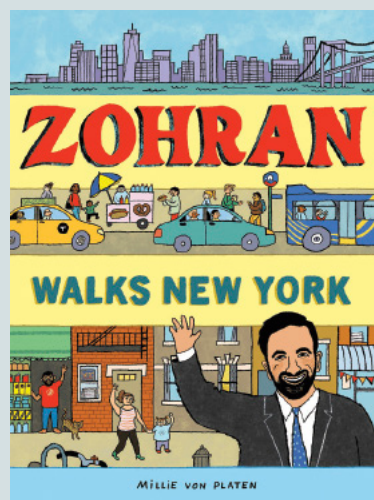
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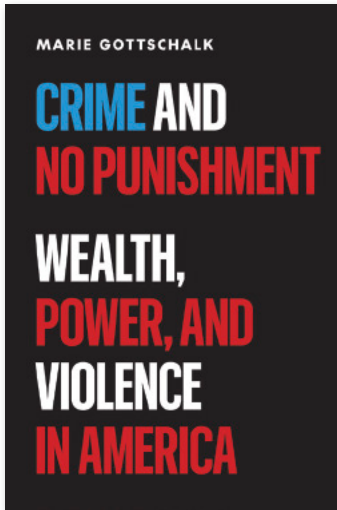
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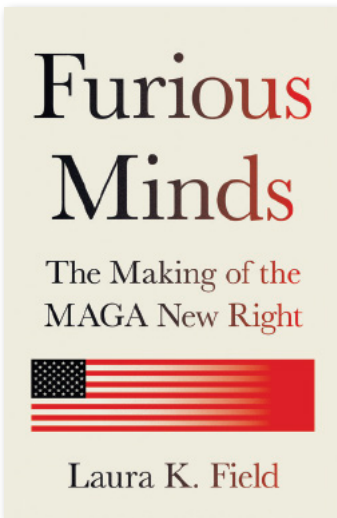
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How concentrated economic and political power in America protects elites and fosters violence of all kinds



The story of the radical conservative intellectual movement shaping Donald Trump's agenda—and how it threatens American freedoms, values, and democracy



a more direct-democracy model. Better organizing efforts are a necessary precondition to winning elections, and they help create a landscape of countervailing forces to centralized, autocratic power. Our system, for all its original flaws, has the advantage of being designed to protect the country from a malign king.

Nwanevu is not wrong in asserting that the Constitution was written by members of colonial America's wealthy elite, but simply protecting wealth does not represent the totality of the framers' thinking. Also on Madison's mind, and presumably on the minds of the other framers, were the divisions not only

between the wealthy and the rest of the people but also between the various categories of the propertied. Southern slaveholders were free traders and wanted global markets for cotton. Northern manufacturers were protectionists because they didn't think their fledgling industries could survive against open foreign competition. Agricultural interests were debtors and financial interests were creditors. There were also smaller geographic and industry-specific economic interests. What Madison and the other framers were seeking, as much as generalized protection from the propertiless, was a set of compromises among the propertied. They were endeavoring to create a republic in which no one interest or group dominated the others.

The political system they designed therefore threw a lot of sand in the gears. Today, wealthy interests still fight with one another, but to the extent that they have interests in common, they can usually make the system produce the results that favor them, especially on economically consequential but arcane issues like regulation and taxation. That might still be the case if our system were more directly democratic: People with tons of resources tend to get the political results they desire, no matter how the system is designed. Protection from bad outcomes can come from building a stronger civil society, and from distributing power not only within the government but also between the government and other kinds of institutions that have the public welfare at heart.

Such institutions are the ones Trump is attacking directly today, and for good

reason. Research universities, regulatory agencies like the Federal Trade Commission and the National Labor Relations Board, trade unions, foundations, think tanks, nonprofits, and news organizations—all have become the objects of a furious and largely unanticipated assault during the second Trump administration. Many of these institutions have their roots in the Progressive and New Deal eras and were founded on the conviction that modern democratic

**Are some of democracy's guardrails worth keeping in place?**

governments require bureaucracy and expertise—that, as Herbert Croly put it in *The Promise of American Life*, we could improve the American system by pursuing Jeffersonian principles through Hamiltonian means. Nwanevu would surely be skeptical of Croly's argument, but in the current moment, it has become clear that any diminution in these institutions' independence or influence only works to make Trump himself more autocratically powerful. Even if their stated purpose is to perform specific, often technical functions, together they stand as a bulwark against a quasi-dictatorship based on personal whim. It's fair to think of them as democracy-enhancing.

Conservatives have never much liked these institutions, suspecting both their founding purpose and their supposed political neutrality. But few seem to have anticipated this year's fierce and destructive attack on them (apart, of course, from its authors). One of the many alarming aspects of this assault is that it doesn't seem to be as upsetting to many in the public as some of Trump's other actions. The idea, instead, is that these institutions are also "elites," and that does speak to a problem with how they have organized themselves and functioned, especially in recent years. But even if they ought to become more democratic and more engaged with everyday concerns, is a more directly majoritarian constitutional system the solution to their flaws?

Preserving our democracy seems like a more urgent task than ever. What that entails is not just directly empowering voters but also protecting the essential—but not directly democratic—systems and structures that the country has created over the years from right-wing populist assaults. **N**

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# Man's Best Friend

*Franz Kafka and his dog*

BY JONATHAN LETHEM

**S** LAVOJ ŽIŽEK HAD ME AT THE TITLE OF HIS 1992 BOOK *Everything You Always Wanted to Know About Lacan (But Were Afraid to Ask Hitchcock)*. The words were a siren call to those of us who fear that vast essential insight lies locked in texts with which we simply don't play well. It's not that I'm not interested in Lacan's writings, but rather that pleasure, of some variety, is always at the wheel of how I read. Books need to contain, ideally, at least some combination of the things I enjoy: narrative, imagery, gossip, puns, the whisper of the vicarious. I can persist with prose that restricts or denies me these pleasures, and often do, in pursuit of other rewards. Yet there are times when I feel truly helpless with theoretical concepts that have been left ungrounded in tangible example or evocative metaphor. Even if I forgo pleasure and fight my way through

such material, there's scant uptake.

In such cases, I'm reliant instead on paraphrase or analogy—in the case of Žižek's book, an introduction to Lacanian theory by way of *The Birds* and *Vertigo*. It's a win-win-win: I'm refreshed in my fascination with films I've known for 50 years; I'm vitaminized with Lacanian epiphany; and I discover a nutty new friend in the provocateur Žižek,

whose own thoughts are accessible to me only about half the time (elsewhere I may find myself hunting for an accessible paraphrase of Žižek). All my life, I've known that certain strains of inquiry—philosophy and political theory and psychoanalysis—had the potential to give names to my inchoate feelings and courage to my efforts to live honorably in the human herd. But how to unlock the treasure? For every thinker in whom I found readerly oxygen (Nietzsche is truly a gas), there were others (hello, Heidegger) whose abstractions were, for me, like meeting a concrete wall: impenetrable at any speed.

So, over the years, I've become something of a connoisseur of books like Žižek's, or others like David Rothenberg's *The Possibility of Reddish Green*,

which explores Ludwig Wittgenstein's philosophy through works to which I already relate, such as Thomas Bernhard novels and Chris Marker films. These bring me as close as I'll probably ever get. I can hear Wittgensteinians screaming at me now that their boy is wonderful to read; to them I say simply, "For you." In a life where, at 60, I haven't tackled Nabokov's *Ada* and still want to reread Christina Stead's *The Man Who Loved Children*, I probably won't be climbing over that wall.

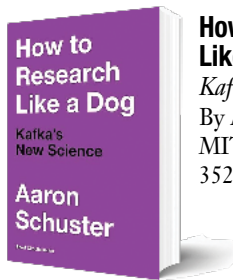
This embarrassing disclosure of my reliance on paraphrase reminds me that Pierre Bayard recommends it as a positive intellectual program in his book *How to Talk About Books You Haven't Read*. At least I think he does; Bayard's book, alas and ironically, is itself one I haven't read. (I think he'd forgive me.) When I'm in the right mood, I can ponder Freud with genuine pleasure; Marx, not so much, though I have persevered. Yet it is forever the case that I've familiarized myself with both Freud and Marx more through inference and interpretation, through Adam Phillips and Mari Ruti and David Graeber and T.J. Clark, than directly. Perhaps this is natural: English literature begins with Chaucer appropriating *The Oresteia*. It's all paraphrase anyway.

When it comes to Kafka, Deborah Eisenberg observed earlier this year in *The New York Review of Books*, "there seem to be a lot of people who approach (or avoid) Kafka's fiction in anticipation of something somber, cryptic, too abstruse to enjoy." This is "unfortunate," she continues, "because the fiction is mesmerizing, unendingly rewarding, and often wildly funny." In this case, unlike with Wittgenstein, I endorse this advocacy for the original. Ever since I discovered Kafka as a teenage prose-omnivore who mistakenly thought *The Trial* was a dystopian thriller (or maybe I wasn't mistaken?), I have read him, mimicked him, and assigned him in classrooms. To Eisenberg's perfect adjective—"mesmerizing"—I would add that Kafka is also surprisingly, extensively earthy. His work, though often top-heavy with paradox and conceptual brio, is rooted in the squishy, itchy, sleepy, flirty, flighty feelings in the body, and never more so than when he is writing about animals. And he is often writing about animals. We all know the cockroach, but there is also the ape, the mouse, the mole, the leopards, and "Investigations of a Dog."

Loving Kafka, one would think, is enough: no need for paraphrase, merely dive in. But for me, Kafka is the paradigmatic example of a writer we read, even devour, and return to with joy, yet still hunger to see interpreted by others. And luckily (for me, anyway), Kafka is one of the most interpreted, annotated, and biographed writers, or possibly even humans, who ever came down the pike.

Aaron Schuster's *How to Research Like*

*Jonathan Lethem's A Different Kind of Tension: New and Selected Stories was published in September.*



### How to Research Like a Dog

*Kafka's New Science*  
By Aaron Schuster  
MIT Press.  
352 pp. \$35

*a Dog: Kafka's New Science*, a book squarely in the charismatic-paraphrase tradition of Žižek, is a lengthy investigation of Kafka's dog story. A terrifically erudite and accessible ramble through Kafka, Lacan, Freud, and Beckett, among others, the book may also persuade you, as it did me, that "Investigations of a Dog"—which was written near the end of Kafka's life, just as he was abandoning *The Castle*, and is a somewhat sidelined text (Walter Benjamin admitted that it baffled him)—is as rewarding an object of devotion as anything Kafka ever wrote. Beyond all this, Schuster's book, along with Kafka's story, may deepen one's fascination with and delight in dogs themselves—partly by helping us notice how much Kafka was also noticing dogs themselves, rather than merely the idea of them.



In Marlen Haushofer's novel *The Wall*, a woman who has been removed from all human companionship muses on her central surviving relationship, with a dog named Lynx:

It was almost shaming that being with me made him so happy. I don't think that grown animals living wild are happy or even content. Living with people must have awoken this

capacity in the dog. I'd like to know why we have this narcotic effect on dogs.... Of course there was never anything special about me; Lynx was, like all dogs, simply addicted to people.

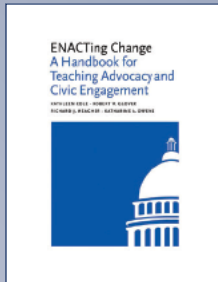
Philosophers, such as Thomas Nagel in his famous essay "What Is It Like to Be a Bat?" and Giorgio Agamben in *The Open*, have tended to fasten on the animal as an emblem of the unknowable—the proximate "other" whose ineluctable difference unnerves us, throwing us into an awareness of our existential condition. But the domesticated dog, as Haushofer reminds us, offers us another kind of conundrum: It is a creature entwined in human life to such a degree that it has become estranged from its own kind, even while remaining in touch, helplessly, with its past nature.

Unsurprisingly, these are the qualities that fascinated Kafka in his "Investigations"; his dog, like his characters in general, suffers a sense of cosmic displacement from some right manner of being. Kafka's unnamed dog narrator studies his own kind, who present a panoply of accommodations to this alienated condition, while never managing any accommodation of his own.

The failure to reach an accord with his reality makes the dog much like Kafka's paradigmatic protagonists—think of K., the Hunger Artist, and Gregor Samsa. Yet what sets the dog apart from these others, and sets Schuster off on his own remarkable avenue of research, is the canine's tendency not to center his own suffering and complaint, or his moral or emotional crisis, but instead to cast himself in a deliberate and positive role as a searcher—a quixotic knight of ignorance. "The nascent philosopher," Schuster writes, "finds his spark of enjoyment in asking questions and not getting responses—this failed interrogation is where he really comes alive, where his innermost nature gets activated, energized. His subsequent life will be organized around the posing of questions and the nonreception of answers."

Spoiler alert: Kafka's story turns on a joke, one hiding in plain sight. It's an easy joke once you get it, but Kafka being Kafka, and with his reputation for being abstruse, it often takes several readings to believe in its simplicity (I wonder if Walter Benjamin missed it). The joke is that Kafka's philosopher dog, due to some unexplained

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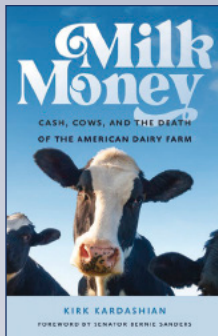
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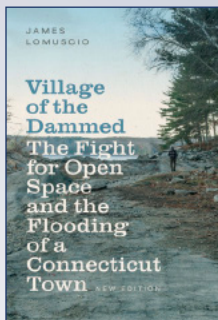


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anthropomorphic blind spot, can't see the human beings who dominate the world that dogs inhabit. Lapdogs therefore appear to him as floating dogs; dogs in a circus appear enchanted by the desire to perform. Most crucially, food seems to appear out of nowhere, according to ritual actions on the part of the dogs that the narrator can index but never decipher.

Of course, this couldn't be more "Kafkaesque." As in *The Castle* and *The Trial*, every character's life is distorted by the presence of an omnipresent and gnomonic form of power that also possibly doesn't exist. Yet since we readers are humans—living examples of the puzzle piece that could explain (well, partly) the behavior of the dogs whose priorities and outlook the narrator dog finds so mysterious—the story makes a gentler allegory of the comedy of inquiry than perhaps anything else in Kafka. What if our lives turned on the same joke? What if the great mystery always turned out to be our own obtuseness, the blot in our sight that we just can't see around? This—I know this from paraphrase—is a strongly Lacanian suggestion.

**S**chuster's book is thrilling for its fleetness of reference and insight, as well as its readiness with biographical anecdotes. These can range far afield as well as close to home and concern not only the legendarily quirky Kafka but also the severest of psychoanalytic theorists (and their pets). In one fascinating section, Schuster reminds us that "like Freud, Lacan also had a pet dog, a boxer he named Justine as a tongue-in-cheek homage to the novel by the Divine Marquis—a Sadeian dog for the French psychoanalyst," and one who, in Lacan's account, "can talk...she has the gift of speech, but 'this does not mean that she possesses language totally.'"

Justine's partial possession of language, Schuster notes, is in some ways linked to Kafka's dog and is characterized by two traits. First, unlike "many human beings," she speaks "only in those moments when she needs to speak"—to convey her emotional states or respond to environmental stimuli, such as, for example, the presence of Lacan. Second, when she speaks, "she identifies [Lacan] accurately—unlike his patients in analysis, for whom Lacan may very well be someone else.... The dog

relates to others as little others, partners in dialogue and communication, but the other is never taken for an Other."

Ah, the capitalized Other: If you've heard the first thing about Lacan (which I have, thanks to Žižek!), you know that the "big Other" isn't someone we can meet, but precisely the omnipresent power of social injunction that intervenes between us and direct experience. How perfectly does all this lead us back to Kafka's fictional investigating dog, for he too is a creature to whom the big Other—in this case, actual humans—is invisible, despite their influence being traceable everywhere.

In another particularly arresting sequence of interpretation and extrapolation, Schuster moves deftly between the notion of "office comedy," Foucault, Duras, and the suggestion that Flaubert's notoriously wearisome comic epic of ignorant scholarship, *Bouvard and Pécuchet*, anticipates Google and ChatGTP:

If Flaubert heroically, and madly, realizes the Tower of Babel of science with his universal encyclopedia, Kafka, in a no less rigorous way, short-circuits the whole edifice in a stroke. We are no longer dealing with the dispersion of languages, the seemingly endless babbling of discourse, but with a hole in language. Hence the need for a new myth, or a subversive twist on the old one: the pit of Babel.

For me, the Flaubert reference in particular happened to light up a dormant piece of circuitry in my brain. *Bouvard and Pécuchet* has sat unread on my shelf for more than 30 years. Now, thanks to Schuster, I suddenly considered that book as an ironic talisman of the way our tiny shares of understanding are swarmed on every side by the millions of books we've never even begun to attempt to read—by their opacity, their implication, their promise.

My life's own most deliberate and proud expedition—that as a reader—makes me, in the end, only very much like Kafka's dog. Yet, high on borrowed confidence from Schuster's book, drunk on the delirium of his foray, I find myself vowing to finally read the Flaubert. Should I succeed, who knows what might happen next? I must read Lacan. I can't read Lacan. I'll read Lacan. **N**

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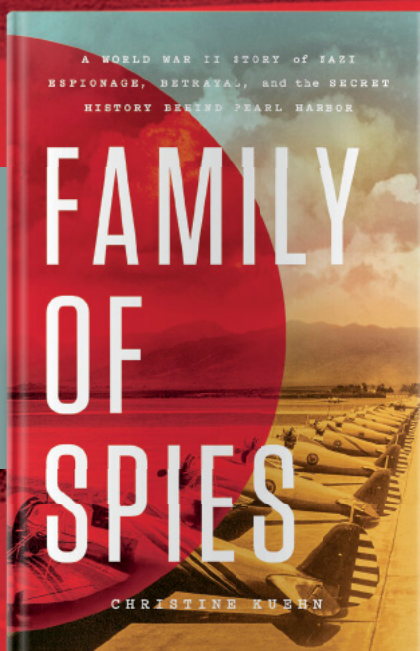
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# Let Me Live

*The Angelo Herndon case and the radical politics of free speech*

BY RANDALL KENNEDY

**R**ACISM HAS OFTEN ACCOMPANIED THE REPRESSION OF civil liberties. In the antebellum period, the defenders of slavery criminalized teaching the enslaved to read or write; banned the voicing of antislavery sentiment in colleges; prohibited the distribution of antislavery literature through the mails; and proscribed consideration of antislavery petitions in Congress. Militant foes of abolitionism destroyed presses and assassinated editors. A mob dragged William Lloyd Garrison, the editor of *The Liberator*, through the streets of Boston, while another temporarily silenced abolitionism's greatest orator, Frederick Douglass, who later remarked aptly that "slavery cannot tolerate free speech."

In the long, terrible period of racist reaction that followed Reconstruction, proponents of white supremacy continued to try to stifle anti-racist dissent. In 1892, in Memphis,

they destroyed the press of the indomitable anti-lynching journalist Ida B. Wells and threatened to kill her if she returned to her home there. During World War I, the federal government prosecuted and imprisoned the editor G.W. Bouldin under the Espionage Act because his newspaper published a letter that supported a protest organized by Black soldiers in response to the police beating of an African American

corporal, Charles Baltimore. During the McCarthy era, racists used the Red Scare to isolate racial-justice activists on the left, such as W.E.B. Du Bois and Paul Robeson, whose passports were canceled to prevent them from offering opinions abroad that the US secretary of state deemed injurious to the country. During the Second Reconstruction in the 1950s and '60s, white supremacists sought to squelch dissent by outing members of the National Association for the Advancement of Colored People (NAACP) in areas where a known affiliation would cause the loss of employment, the withdrawal of credit, or threats of violent retribution. White supremacists schemed to prevent civil-rights lawyers from attracting clients, to afflict news media with ruinous libel judgments, to condition funding and certification for colleges on the ejection of political mavericks, to spy on groups such as the Southern Christian Leadership Conference, and to surreptitiously disrupt organizations like the Black Panther Party. More recently, anger, fear, and resentment occasioned by the elevation in the status of African Americans has fueled efforts to prohibit the teaching of "critical race theory," to erase information in national parks about the history of slavery, and to remove "divisive" books from libraries.

Brad Snyder's *You Can't Kill a Man Because of the Books He Reads* revisits one of the more dramatic episodes in this ongoing saga of repression and resistance: the story of Angelo Herndon, a young, Black communist organizer who was prosecuted in Georgia in 1932 for attempting to incite an insurrection, sentenced to imprisonment after an egregiously unfair trial, and then freed after a nationwide campaign by civil libertarians and anti-racist activists that occasioned two trips to the Supreme Court and an important vindication of First Amendment freedoms. Snyder's excellent book is both inspiring and sobering. It portrays vividly the exertions of a wide range of people who rallied to save Herndon. But it also reminds us of the relative recency of this judicial solicitude for the freedom of expression as well as the instability of that protection.

**A**ngelo Herndon was born into a sharecropping family in Bullock County, Alabama, on May 6, 1914. He attained only about a sixth-grade education before poverty

pushed him into work at a series of menial, back-breaking, dangerous jobs mining and shoveling coal.

In 1930, in Birmingham, Herndon attended a meeting of the Unemployed Council, a communist organization that encouraged white and Black workers to cooperate in demanding “economical equality” and an end to racial tyranny. Hooked immediately, he began reading communist tracts and attending demonstrations. He joined the Young Communist League and became a full-time organizer for the Trade Union Unity League. For seeking to educate and mobilize workers, Herndon became a target of the police and was repeatedly arrested, convicted of vagrancy, and incarcerated. In an effort to help him escape the harassment, his seasoned comrades sent him to Atlanta. His enthusiasm, however, soon prompted him to organize the demonstration that led to the landmark ruling that bears his name: *Herndon v. Lowry*.

**I**n June 1932, the precocious Herndon, then just 18, printed 10,000 leaflets calling for people to protest a recent decision of the Fulton County Board of Commissioners to stop funding relief for the poor. The header of the leaflet was striking for its invocations of class, race, and gender:

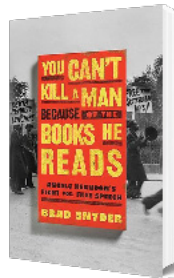
**WORKERS OF ATLANTA!  
EMPLOYED and UNEMPLOYED—  
Negro and White—ATTENTION!  
MEN and WOMEN OF ATLANTA**

Repudiating the Deep South’s Jim Crow etiquette, Herndon ventured boldly: “If we allow ourselves to starve while these fakers grow fat off our misery, it will be our own fault.”

On the appointed day, about 150 people gathered. A county commissioner agreed to meet, but only with the white protesters. The next day, the Fulton County Board modestly increased unemployment relief. Soon thereafter, the police detained Herndon, searched his rented room without permission or a warrant, and seized his books and pamphlets. Then they took him to a police station, where they beat him, strapped him into a fake electric chair, and tried to elicit a confession from him, though they refused to tell him why he’d been arrested. The police held Herndon incommunicado for 11 days before finally charging him with attempting to incite an insurrection.

The authorities did not allege that Herndon had engaged in violence or had prompted others to be violent or engage in any immediate lawbreaking. Instead, they staked their case on Herndon’s admitted membership in the Communist

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**You Can't Kill  
a Man Because  
of the Books  
He Reads**

*Angelo Herndon's  
Fight for Free Speech*  
By Brad Snyder  
W.W. Norton  
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336 pp. \$37.99

Party, his recruitment on its behalf, his dissemination of communist polemics such as George Padmore’s *The Life and Struggles of Negro Toilers*, and the party’s stated ambition of supplanting the US government with a communist regime that intended to create a territory in the South governed by Black folk. The theory of the Georgia prosecutors was that these actions amounted to illicit preparation for an eventual revolution.

Racism pervaded Herndon’s tribulations. The statute under which he was prosecuted was enacted in 1833 to protect “Negro slavery” from the “danger” of rebellion. Racial discrimination deformed the selection of his juries: Officials typed the names of prospective white jurors on white cards and the names of prospective Black jurors on pink or yellow ones. Herndon was indicted by an all-white grand jury and convicted by an all-white petit jury. Asked to explain the racial homogeneity of the grand jury, officials stated that they’d selected only “the most intelligent, upright citizens” and that on that basis there were simply no eligible Black people available. Such discrimination stretched far beyond Herndon’s case; no one could recall an African American serving on any jury in the county. Yet Herndon’s trial judge rejected claims of illicit racial exclusion.

Herndon’s defense team featured

a rarity in 1930s Georgia: an African American attorney. Benjamin Davis Jr., the privileged son of the publisher of the *Atlanta Independent* newspaper, had attended Amherst and Harvard Law School, where he roomed with William Hastie (who later became the country’s first Black federal judge) and Robert C. Weaver (who later became the country’s first Black cabinet secretary). Upon Davis’s return to Atlanta from Harvard, he was something of a dandy, drawn to tailored suits and spats over patent leather shoes. But when he read a newspaper account of Herndon’s arrest, he went to the city jail and offered his legal services pro bono.

The International Labor Defense, which at the time was overseeing many civil-rights cases as well as much of the country’s legal representation for communists, liked the prospect of a Black defense counsel, especially one who wasn’t charging a fee. But Davis had never argued a criminal case before, and so the ILD tried to obtain more experienced counsel. It briefly retained a respected local white attorney but he withdrew after refusing to challenge the legitimacy of a jury selection in which only white citizens had been chosen. The ILD then turned to Atlanta’s most prominent Black attorney, A.T. Walden, but he demurred, concerned that the organization would try to dictate legal strategy.

Thus Davis, inexperience notwithstanding, became Herndon’s main trial attorney, and he endured racist threats throughout the trial. One morning, leaving his house, Davis discovered a white cross bearing the note “The Klan Rides Again. Get out of the Herndon case. This is a white man’s country.” On other occasions, spectators accosted him, making their sentiments known in unmistakable terms: “Watch yourself, or we’ll string you up.” More upsetting to Davis was the trial judge’s failure to maintain even a minimal level of decorum in the courtroom. When prosecutors referred to Herndon as a “nigger,” Davis immediately objected. The judge told the prosecutors to stop using the slur, but they continued to do so anyway with virtual impunity.

“If you don’t send this defendant to the electric chair,” one prosecutor told the jury, “we will have a Red Army marching through Georgia which will take all of the land away from the

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white people and give it to the Negroes!"

Herndon declared, by contrast, that the government could imprison or kill him and hundreds of other dissidents, but that repression "will never stop these demonstrations on the part of Negro and white workers who demand a decent place to live...and proper food for their kids." Herndon's counsel added that his client's only "crimes" were his skin color and his daring to ask for assistance for the impoverished. As for the communist literature, Davis maintained: "You can't kill a man because of the books he reads."

**A**fter the jury handed down its foreordained verdict, a broad range of observers rallied around Herndon. Communists sought to use his conviction as a basis for revealing the perfidy of a capitalist system that deployed race to confuse and divide the working class. Liberal racial reformers perceived his persecution as yet another instance of naked racial oppression.

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Another key contingent of supporters were the lawyers ap-

palled by Georgia's disregard for due process and its attempted nullification of the rights to read, speak, and organize freely. While some of these attorneys were anti-racists, others were white supremacists of the courtly, courteous, patrician variety. Uniting them was an abhorrence of government overreach, a fidelity to procedural consistency, and a respect for civil liberties. The most effective and essential of these attorneys was Carol Weiss King. A target of gross sexism and antisemitism, Weiss was a stalwart leftist who dedicated her career to the legal defense of radicals and immigrants. According to Snyder, "There was no better brief writer, legal strategist, and recruiter of talented lawyers."

King succeeded in enlisting a slew of impressive attorneys to assist in Herndon's defense. Whitney North Seymour was the youngest partner at the venerable law firm of Simpson Thacher & Bartlett. A graduate of Columbia Law School, an alumnus of the US solicitor general's office (where he argued 35 cases for the United States before the Supreme Court), an up-and-coming leader of the New York State Bar, and a staunch civil libertarian, Seymour agreed to represent Herndon, but only on the condition that he would be free from interference by the communists in terms of his litigation strategy. Walter Gellhorn and Herbert Wechsler were both former law clerks to Supreme Court Justice Harlan Fiske Stone and members of the faculty at Columbia Law School. Elbert Tuttle was a past president of the Lawyers Club of Atlanta and the commander of the Fulton County American Legion Post.

Judges were also essential to saving Herndon. Two were especially pivotal: Hugh M. Dorsey and Owen Roberts. Dorsey was the judge who granted Herndon habeas corpus relief after the Supreme Court rejected his initial appeal. He ruled that the law under which Herndon had been convicted was "too vague and indefinite to provide a sufficiently ascertainable standard of guilt." Although the Georgia Supreme Court later reversed this decision, Dorsey's ruling kept Herndon's federal constitutional claims alive; without his action, Herndon would likely have been condemned to a long stretch of body- and soul-destroying imprisonment.

Dorsey's own backstory was compli-

cated. He was a former prosecutor who rose to prominence by convicting Leo Frank, the Jewish superintendent of a pencil factory at which a 13-year-old worker, Mary Phagan, was raped and killed. Dorsey delivered a summation to the jury that spanned nine hours over three days and exploited an atmosphere suffused with anti-Jewish prejudice in order to win his conviction.

After Frank was sentenced to death, his lawyers petitioned the US Supreme Court, claiming that his trial had violated the norms of due process. The court rejected this argument 7-2, and Frank appealed to Georgia's governor, who commuted his sentence to life imprisonment. Frank's relief, however, was short-lived: Outraged residents of Phagan's hometown abducted Frank from a state prison and lynched him.

Though history would judge this dark episode quite differently, Dorsey was lauded at the time by white voters for obtaining Frank's conviction, and he successfully ran for governor and served two terms. But then a strange thing happened: He became a vocal critic of racist violence. Dorsey decried lynchings and other aggressions against African Americans, noting that "in some counties the Negro is being driven out as though he were a wild beast." The facts, he asserted, indicted Georgia "more severely than men and God have condemned Belgium and Leopold for the Congo atrocities."

Although Dorsey's extraordinary rebuke put an end to his career in electoral politics, he subsequently received judicial appointments, one of which provided the platform from which he was able to resuscitate Herndon's appeal. It was Tuttle, the Atlanta attorney, who intuited that Dorsey's lingering feelings of guilt might incline him toward sympathy for Herndon.

**I**n the US Supreme Court's first review of Herndon's conviction, the court affirmed it 6-3, with Justices Harlan Fiske Stone, Benjamin Cardozo, and Louis Brandeis in dissent. But in the court's second review, it reversed after Chief Justice Charles Evans Hughes and Associate Justice Owen Roberts changed their votes. The latter wrote the opinion for the majority; in it, he asserted that the

facts adduced at trial failed to support the theory of criminal insurrection that the prosecution had set forth. “The only objectives appellant is proved to have urged,” the opinion stated, “are those having to do with unemployment and emergency relief which are void of criminality.... In these circumstances, to make membership in the [Communist Party] and solicitation of members for that party a criminal offense, punishable by death...is an unwarranted invasion of the right of freedom of speech.”

The ruling also maintained that the statute that had given rise to Herndon’s prosecution was unconstitutionally vague, amounting “to a dragnet which may enmesh any one who agitates

for a change of government if a jury can be persuaded that he ought to have foreseen his words would have some effect in the future conduct of others.”

Roberts is often disparaged as the justice who switched his vote on the constitutional validity of New Deal initiatives in order to preempt proposed legislation that would have enabled President Franklin Delano Roosevelt to appoint a new justice for every incumbent who retained his seat after turning 70. Roberts’s change of heart is derided as “the switch in time that saved nine.” Yet Roberts had in fact changed his position on economic regulation before FDR announced the “court-packing” proposal.

Furthermore, in a variety of cases involving repression, Roberts had distinguished himself as an ally of freedom. He voted to overturn the conviction of Yetta Stromberg, who was prosecuted in California in 1931 for flying a red flag that was said to represent a prohibited “sign, symbol or emblem of opposition to organized government.” That same year, in *Near v. Minnesota*, he voted to invalidate a law that had been used to impose a prior restraint on a newspaper. Later, in 1944, with the war against Nazi Germany and Imperial Japan still raging, Roberts was one of the three dissenting justices who, to their everlasting credit, refused to uphold the constitutionality of detentions based solely on Japanese ancestry. Snyder rightly argues that Roberts’s crucial vote in *Herndon* was no fluke; it reflected a cultivated independence.

**T**

he subsequent stories of the many participants in the *Herndon* case are full of ironies, vindications, and tragedies. Herndon himself became one of the most prominent African Americans of the 1930s because of the campaign to save him. He addressed thousands at a rally in Madison Square Garden; wrote a critically acclaimed memoir, *Let Me Live*; and became friends with Richard Wright and Ralph Ellison. For a moment, it seemed as

though he might forge a productive career as a literary activist. Herndon founded an ambitious journal, *The Negro Quarterly*, and also succeeded in distancing himself from the communist move-

ment that had played such a dominant, formative role in his life. The party had supplied him with an inspiring goal; it had given him a lens through which to make sense of things; and it had provided him with comrades. But Herndon became disillusioned with his revolutionary church because of its suffocating insistence on conformity to Stalinist orthodoxies.

Herndon’s break with the party was unfortunately accompanied by a recurrent vice that eventually ruined him: a financial impropriety that devolved from simple negligence to deceit and exploitation. Snyder notes that in 1954, “Herndon’s days of playing fast and loose with other people’s money finally caught up with him” after he sold the same apartment building to five different buyers.

Charged with various crimes, Herndon inspired a headline in *Jet Magazine* that read “Swindle Suspect Identified as Ex-Red Angelo Herndon.” After spending several years in Joliet State Prison, Herndon rejoined the party but would never realize his promise or attain his former prominence. When he died at age 83 in December 1997, not a single newspaper published an obituary.

Sad, too, was the trajectory of Benjamin Davis. Disgusted by the mistreatment heaped upon his client, Davis became a communist himself. After Herndon’s conviction, Davis moved to New York City, where he rose to the party’s highest echelons and also succeeded in local electoral politics, winning a seat on the New York City Council representing Harlem.

But Davis also suffered a series of setbacks. His loyalty to the party line, whether praising Stalin’s show trials in the 1930s or Nikita Khrushchev’s invasion of Hungary in 1956, required betraying the best of the values he had bravely championed in his defense of Herndon.

He also suffered under the United States’ suppression of communism and left-wing activists in general. In 1948, along with 11 other top party leaders, Davis was charged with violating the Smith Act, which had criminalized advocating the overthrow of the government by force. The federal indictment was analogous to the state indictment under which Herndon had been prosecuted. But Davis received no relief from the Supreme Court: Unwilling to resist the powerful upsurge in anti-communist hysteria that gripped every aspect of American society in the early Cold War period, the court affirmed his conviction. Davis spent several years in prison, though he remained a committed communist, and was enduring the onset of yet another anti-communist prosecution when death overtook him in August 1964, at the age of 60.

Other protagonists in the case fared better. Carol Weiss King spent the remainder of her life as a crusading progressive attorney. A founder of the National Lawyers Guild, she also served as general counsel for the American Committee for the Protection of the Foreign Born. Whitney North Seymour became a president of the American Bar Association, cochaired the Lawyers’ Committee for Civil Rights Under Law, and served on the board of the American Civil Liberties Union. Herbert Wechsler pioneered the academic study of federal jurisdiction; drafted the Model Penal Code, which many states use as a template for their criminal law; was a longtime director of the American Law Institute; and successfully argued the landmark case of *New York Times v. Sullivan*, which created the federal constitutional doctrine that governs defamation litigation.

Elbert Tuttle delivered a score of sweeping and pioneering decisions as a judge on the Fifth Circuit Court of Appeals during the Second Reconstruction. Viewed as a race traitor by white supremacists, he was praised as a hero by partisans of the civil-rights movement. In 1966, when Stokely Carmichael was charged with inciting a riot in Atlanta, Tuttle was among

**Eventually Herndon became disillusioned with his revolutionary church.**

the judges who, citing *Herndon v. Lowry*, stopped the prosecution.

**S**nyder's excellent excavation of the legal travails that enveloped Angelo Herndon shows that individuals committed to the vindication of civil liberties can sometimes prevail even in dire circumstances. Prompted by ardent advocates confronting the dreadful facts, the Supreme Court freed Herndon from the terrifying prospect of spending years on a chain gang and added crucial reinforcement to the essential limits on government power. A part of the legacy of that effort surfaces whenever a defendant invokes the Fifth Amendment's due-process clause to challenge vague or improper laws or deploys the First Amendment to challenge government attempts to squelch speech because of ideological animus. As Snyder writes: "Generations of protestors from opposite sides of the political spectrum—civil rights activists and white supremacists, abortion rights and pro-life advocates, the Tea Party and Black Lives Matter, and pro-Israeli and pro-Palestinian demonstrators—stand on the shoulders of Angelo Herndon."

But the story of what happened after Herndon's case also serves as a reminder that no legal victory is complete or permanent. Herndon's time in jail prior to his victory at the Supreme Court and Davis's time in prison after his Supreme Court loss offer stark warnings. In *Herndon*, the court prevented Georgia from punishing as fully as it wanted one Black activist who'd had the audacity to radically challenge the class and racial status quo. By the time of that intervention, however, Herndon had already been severely punished. The intervention, moreover, did not subsequently prevent Georgia or the United States from prosecuting other dissidents on ideological grounds.

Despite judicial precedent, the specter of repression survives as an omnipresent threat to civil liberties today. Much better than a favorable court ruling is the kind of robust public opinion that precludes prosecutions violative of constitutional rights. By the time the courts get involved in the defense of civil liberties, precious freedoms have already been lost. **N**



## We're All Individuals!

*The invention of the modern self*

BY DAVID A. BELL

**I**N THAT CLASSIC OF WESTERN CINEMA, *MONTY PYTHON'S Life of Brian*, the title character addresses a crowd in Jerusalem that has mistaken him for Jesus Christ. "You've got it all wrong," he pleads. "You don't need to follow me. You don't need to follow anybody. You've got to think for yourselves. You're all individuals!" The crowd chants back, in unison, "Yes, we're all individuals!" "You're all different!" Brian protests. "Yes, we're all different!" the crowd responds (though one lone voice insists, "I'm not").

The scene illustrates as well as anything the problem of trying to write a history of that endlessly fascinating but endlessly slippery subject—the "self." The self can be defined as the way people experience and understand their own individuality. The difficulty stems from the fact that the very language people use to describe and express their individuality is, like all

language, something they take from and share with others. Many great historians have taken as a theme the birth of modern Western individualism, associating it with many different eras—notably, the Renaissance, the Enlightenment, and the eras of Romanticism and high Modernism. Yet in each case, the terms in which individuals expressed their supposedly ineffable, unique identities have tended to



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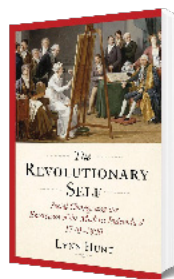
sound remarkably conventional and similar, thereby undermining the historians' case.

Even the great 19th-century historian Jacob Burckhardt, author of *The Civilization of the Renaissance in Italy*, could not wholly avoid this trap. "In the Middle Ages," he wrote, human consciousness "lay dreaming or half awake beneath a common veil...woven of faith, illusion, and childish prepossession.... Man was conscious of himself only as member of a race, people, party, family, or corporation—only through some general category. In Italy this veil first melted into air..." But the chapters that followed mostly traced the languages of fame and satire that Renaissance Italians used to describe one another. What Burckhardt ended up recounting was less the "perfecting of the individual," as he put it, than the invention of new general categories to supplement the older ones—the great writer or artist, the cunning statesman, or the buffoon—which were no less sweeping than the ones they supplanted. In Burckhardt's treatment of what he called "the new race of poet-scholars," Boccaccio looked surprisingly similar to Dante and Petrarch: Each received the same "incense which once was offered only to saints and heroes." Yes, these men actively chose their calling rather than having it imposed on them from birth. But once they did so, they still had to learn how to play a role they shared with others.

More recently, historians of selfhood have largely moved away from trying to pinpoint the moment when a modern, radical individualism supposedly replaced older, more collective forms of identity. Instead, they've explored the inherent ambiguities and tensions of selfhood as we in the modern West have come to understand it. Dror Wahrman, in his 2004 *The Making of the Modern Self*, neatly turned Burckhardt on his head. Modernity, he argued, did not spell the end of subsuming individuals into general categories, but rather heralded the rise of even more powerful general categories: "rigid, essentialized, racialized, congenital understandings of human difference" such as biological sex, race, and even social class.

The history of modern selfhood, Wahrman argued, centers on the inescapable and ultimately unresolvable tension between a desire for uniqueness, accompanied by a belief in the power of self-transformation, and the recognition of how deeply we are shaped by our biology and social origins. The book was a virtuoso performance, but it too ultimately amounted to a history of the changing language in which selfhood was defined more than a study of the thing itself—of how people actually understood and experienced their "selves."

**F**ew historians today are as well equipped to offer a creative new take on the subject as Lynn Hunt, who has had a long and distinguished career as a cultural historian of 18th-century Europe. This career took off in 1984 with her



### The Revolutionary Self

*Social Change and the Emergence of the Modern Individual, 1770–1800*

By Lynn Hunt

W.W. Norton.

208 pp. \$35

pathbreaking *Politics, Culture, and Class in the French Revolution*, a book that showed how the French invented a new political culture during the tumultuous years after 1789. Hunt followed this with brilliant ventures in what she dubbed "the new cultural history" and in the history of gender and sexuality, as well as a reading of the French Revolution through the lens of Freud's theory of the "family romance," a pioneering study of the invention of human rights, and much else.

In many of these works, even when dealing with the history of ideas, Hunt eschewed a lengthy engagement with canonical authors. Her *Inventing Human Rights*, for instance, despite its focus on the 18th century, was less interested in examining Locke, Montesquieu, or Rousseau than it was in exploring novel-reading in the period. As the practice spread, she contended, readers learned to identify emotionally with fictional characters who sometimes differed from them in class, sex, and national origin, and in the process underwent an education in empathy: "Novels made the point that all people are fundamentally similar because of their inner feelings." It was only a step from there to the idea that

all people deserved certain basic rights.

An argument of this kind cannot be more than suggestive; no one in the 18th century credited *Pamela* with inspiring their beliefs on human rights. Nor could an argument of this kind do much to address the question of how a generalized sense of empathy eventually took on the specific conceptual form found in documents like "The Declaration of the Rights of Man and Citizen." Yet despite such caveats, *Inventing Human Rights* shed an invaluable light upon its subject.

Now, with *The Revolutionary Self*, we get a similar form of illumination. The book starts by describing the modern self, at least in its European and North American varieties, as a kind of paradox. On the one hand, in the 18th century, as the mental grip of religion weakened, "the idea spread that ordinary people had the potential for autonomy and were capable of exerting their liberty, whether in the choice of spouse, occupation, religious beliefs, or governing bodies." But at the very same time, "individuals came to be viewed as creatures shaped by social conditioning.... Original sin lost its hold, but seeping into its place [came] the idea that our identities are formed by class, race, ethnicity, sexuality, age, profession, and marital status." Modern Western people, in short, are a bit like the Jerusalemites in *Life of Brian*, loudly protesting their individuality even as they are swept along by the passion of the crowd.

The insight itself is not entirely original. The similarity to Wahrman's work (which Hunt oddly fails to mention) is clear. For that matter, Hannah Arendt had already written, in *The*

*Human Condition*, that the "modern individual" was born in the 18th-century conflict between "radical subjectivism" on the one hand and social "conformism" on the other. What Hunt brings to the table is her innovative cultural approach, which promises to move beyond the languages of selfhood to get closer to the thing itself. Rather than scouring canonical works of the Enlightenment (or uncanonical ones, for that matter) for discussions of selfhood, she has chosen to illustrate the emerging

### How did people come to understand and experience their selves?

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tension between individualism and “social determinism” by providing five short sketches in which she strives to capture the self, so to speak, in flux.

**H**unt’s choices are deliberately eclectic. One chapter centers on how tea consumption can be linked to the development of individualism, another on the engraved portraits of French revolutionaries. A third examines the life and work of the French portrait painter Marie-Gabrielle Capet (1761–1818), and a fourth the development of military strategy in the French Revolution. The last chapter looks at the French Swiss financier and revolutionary Étienne Clavière (1735–1793). As with novel-reading and human rights, the connections between these subjects and selfhood are not immediately obvious and went unremarked at the time. But in each chapter, Hunt deftly makes them visible.

When it comes to the military strategists of the French Revolution, Hunt argues that unlike their monarchical predecessors, they hoped that by treating their soldiers as individual citizens worthy of respect rather than as automatons mechanically responding to orders, they would inspire superior performance on the battlefield. Her argument is convincing, even if, at the same time, as she also recognizes, military success depended on prodding large numbers of men to move as a single body, subsuming the individual into the mass. The attempt to create self-motivated “citizen soldiers” in France actually began well before the revolution, as the historian Hervé Drévilion has demonstrated in a book that seems to have escaped Hunt’s attention (called, pointedly, *L’individu et la guerre*). But her essential point still stands.

Tea parties turn out to be a somewhat more complicated subject. The principal activity for the participants, other than imbibing the freshly brewed hot liquid, was polite conversation. Everyone at the table had the right to speak, including women (who in fact served as impresarios, since they served the tea). So tea parties inspired a sense of equality and individual agency among those present. But this sort of peaceful, polite social gathering also illustrated, for Enlightenment intellectuals, a very large historical phenomenon. Focusing particularly on the Scottish writer John

Millar, Hunt recounts how these intellectuals developed a model of history that presented all peoples as moving along a similar evolutionary scale from hunter-gatherer “savagery” through the stages of agricultural and commercial development to the very highest stage, supposedly exemplified by 18th-century Western Europe. Similar arguments appear in Millar’s *Observations Concerning the Distinction of Ranks in Society*, Voltaire’s *Essay on the Customs and the Spirit of Nations*, and many other prominent works. Millar in particular insisted that “civilization” (a word coined only in the 1760s, in France) would never reach its full potential until women could participate in “public life”—although not in government. The humble tea party, in other words, was civilization incarnate.

These intellectual developments had surprisingly broad consequences. For one thing, by holding Europe up as the most advanced civilization, the intellectuals in question provided a handy justification for European imperialism—what later generations would call the “civilizing mission.” In addition, by helping to propagate the idea that there exist discernible laws of social behavior that apply throughout history and around the world, they contributed to the birth of modern social science. And, as Hunt emphasizes, by doing so they explored the ways in which social norms condition individual behavior. Tea parties, in short, simultaneously empowered men and women (at least those of sufficient social standing) while inspiring work that would eventually make them more aware than ever before of how deeply society constrained their autonomy.

**L**ike *Inventing Human Rights, The Revolutionary Self* is powerfully suggestive. Still, at times Hunt might have done more to explore how the tensions she detects in her five examples took on specific conceptual form. Concepts do not reflect lived experience in any simple way; they have their own independent genealogies, grounded in long traditions of intellectual discussion and debate. Even as they evolve to make sense of changing experiences, they also shape those experiences, because it is through available concepts that people find meaning in the history they are living through and imagine ways of altering



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its course. In the end, a full history of selfhood needs to take account of this complex interplay.

Take the example of a concept central to Hunt’s analysis: that of society itself. Until the end of the 17th century, the word (and cognates like the French *société*) referred principally to specific groups of people (as with modern professional or scholarly societies). But by the early 18th century, writers had started to use it in a more abstract sense, to refer to a space of human existence separate from political institutions and the religious sphere. And as they sought to understand this realm of human exchange and intercourse, they posited the existence of social laws, akin to the laws that governed the motion of the planets, the circulation of the blood, and other natural phenomena. Hunt herself sums up the development on the first page of her book: “Society began to emerge as a distinct entity assumed to have its own rules, and individuals came to be viewed as creatures shaped by social conditioning.” “Society” appeared in the title of Millar’s 1771 book and almost 200 times in the text. The

concept deeply shaped the way people understood the world they lived in and the actions they took to alter it—notably the political actions we might now describe as social engineering.

Many scholars have offered explanations for why this so-called discovery of society took place when it did, including Hannah Arendt, Michel Foucault, Sheldon Wolin, and the historians Reinhart Koselleck and Keith Michael Baker. They have pointed to everything from a rising secularism whose advocates rejected supernatural explanations of human behavior to the desire of ever more ambitious governments to understand, manage, and manipulate the populations under their control.

But the concept did not simply reflect these social, cultural, and political contexts; it was also deeply contested. Influential writers interpreted and evaluated it in radically different ways, and these differences in turn shaped the politics of the age. It is this aspect of the conceptual history that Hunt could have developed further.

In the Anglophone world, among writers like Millar, David Hume, Adam Smith, and Benjamin Franklin, “society” in its

modern form was something largely to be applauded. Its development was what would allow people to live peaceful, fulfilling lives, the strife and warfare of old replaced by profitable commerce and polite social interaction. Individuals, in this view, should gladly agree to live by the rules of society and fashion themselves into “sociable” men and women, even if it cost them a degree of personal autonomy.

But the single most influential intellectual of the entire 18th century, Jean-Jacques Rousseau, took a radically different stance. This famously eccentric man rarely lost an opportunity to insist on his own individuality. As he put it in his autobiographical *Confessions*: “I am made like no one else that I have ever seen; I dare believe that I have not been made like anyone else who has ever existed.” And at the same time, no one has ever denounced the corrupting, destructive effects of society on individuals with greater eloquence. Rousseau’s “Discourse on the Origins of Inequality” amounted, in a

sense, to one long, ferocious indictment of society. “The human soul, transformed in society by a thousand constantly recurring causes,” he wrote, resembles the statue of a god “which time, the sea and storms have so disfigured that it now more closely resembles a wild beast.” *The Social Contract* went even farther: It represented his attempt to imagine how a genuine-

ly just society might come into being, but it also emphasized that none has yet existed or is ever likely to do so. The great theme of Rousseau’s autobiographical works, meanwhile, is his des-

perate attempt to preserve his individual independence in the midst of a society that ceaselessly seeks to enchain him, both materially (by making him economically dependent on patrons) and psychologically (by enslaving him to the opinions of others). So great was Rousseau’s influence, especially in France, that he certainly helped to shape the way Hunt’s subjects, from the military strategists to the artists to the financiers, understood their own individuality and their own “social” position. If the tension Hunt points to between the quest for personal autonomy and the awareness of social conditioning was especially acute in France, Rousseau deserves a good deal of the credit.

Hunt, of course, knows this history: “Rousseau,” she writes, “put society on the intellectual agenda.” But having made this statement and devoted a cogent but very brief discussion to the man, she moves on. Yes, Hunt wants to pursue her own less well-trodden path, as she has done so often in the past. And her five sketches do indeed provide tantalizing glimpses of how the tension between individual autonomy and the pressures of social conditioning were actually experienced in this age that saw, as her subtitle puts it, “the emergence of the modern individual.” But without fully considering how the ideas and practices of selfhood mutually shaped one another, *The Revolutionary Self* does not offer its readers as full a history of the subject as it might have done. The self, that most slippery of subjects, can occasionally slip away even from the most illuminating of living historians. Nonetheless, Hunt’s book provides remarkable insight into how our modern “selves” came to be. **N**

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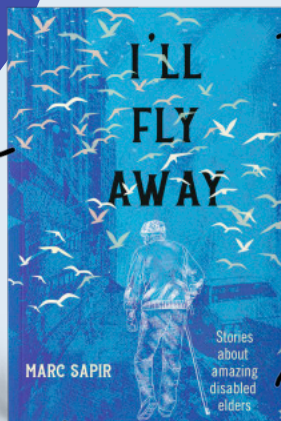
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# On the Waterfront

*The remaking of Bush Terminal*

BY KARRIE JACOBS

**D**RIVING THE GOWANUS EXPRESSWAY IN THE 1980S, I'D often gaze in wonder at the string of massive industrial buildings that lined the South Brooklyn waterfront. Epic in scale, they appeared to be the relics of a lost world. At the time, I didn't know a thing about them. I had no idea that they represented 10 million square feet of late-19th- and early-20th-century industrial ambition, or even that they had names: the Brooklyn Army Terminal, Industry City, and Bush Terminal.

Honestly, I didn't give them much thought, because so much of New York City in the 1980s was like that: abandoned, disused, up for grabs. It didn't seem particularly noteworthy that an entire working waterfront had become estranged from the real estate industry's concept of value. Back then, I had no idea that Bush Terminal, as the complex had originally been called, had once been a visionary project. Built by a man named Irving Bush, it began operations in the late 19th century and was what we might refer to today as an intermodal shipping complex. Goods would arrive by water and leave by rail. Bananas, coffee, and cotton were unloaded from boats via

doors on the warehouses' water side—picture the flaps of an Advent calendar—and later loaded on trains from a similar set of doors on the land side. According to Waverly Neer of the New York City Economic Development Corporation, Bush Terminal “became an economic workhorse, not just for New York City but of the world. At its height, it spanned several city blocks and avenues and employed over 35,000 Brooklynites.” After World War II, trucks began to take over the distribution of goods and this transportation marvel of the early 20th century lost its purpose. “The site was effectively locked off from the public and from businesses for almost

40 years,” Neer says. “The city assumed control of it in the '80s.”

There were still, however, commercial tenants in the facility at that point. Topps, famous for its baseball cards but also known for other novelty products like Wacky Packages and the Garbage Pail Kids, remained there until the mid-'90s. In fact, back when I assumed those buildings were moribund, some friends and acquaintances still worked in them. Topps provided a steady income to cartoonists and illustrators I knew, like Art Spiegelman and Mark Newgarden. Still, Bush Terminal wasn't exactly bustling. “The only other business in that building that I was ever aware of,” Newgarden recalled, “was the Uneeda Doll Company.” It was “hard to miss—doll heads would sometimes be strewn across the cobblestone streets outside the entrance.” As for the rest of the terminal and the surrounding area, it was a “semi-ghost town.”

**B**y the early 21st century, however, grand schemes had begun to develop around these hulking old relics of industries past. In many parts of the world, including New York City, efforts were underway by entrepreneurial real estate companies and municipalities to “reclaim” the derelict industrial zones and waterfronts by turning them into parks, workplaces, and entertainment venues.

An early New York City example was the Brooklyn Navy Yard. From 1801 until 1966, when the federal government finally parted with it, the site had been home to a major shipbuilding facility in war after war. After the feds shut down the Navy Yard, it became another one of those mysterious places: 300 acres of prime New York City real estate, somnolent and largely inaccessible to the public. But then the city took it over and, over time, it began to fill with private industry. By the early 2000s, it had been repositioned as a “sustainable industrial park.” Along came the so-called maker class, young entrepreneurs who understood the economic potential of digital fabrication tools. One of its rooftops even became the site of the very stylish Brooklyn Grange urban farm.

Among the people who led this effort was Andrew Kimball, the president and CEO of the Brooklyn Navy Yard Development Corporation. In 2013, Kimball turned

his attention to Industry City, a 6-million-square-foot hunk of underused space (also part of Irving Bush’s legacy) that had been purchased by the real estate management company Jamestown Partners. By that time, Industry City had attracted artists and designers with its affordable studio spaces. But under new ownership and management, it became somewhat less affordable and was rebranded, like many former industrial places, as a destination. It now has a Japanese market and food hall, nighttime dance parties, various fancy shops, and festivals. On weekends, young parents can be seen enjoying summertime drinks in its courtyards while their kids play in a massive sandbox.

So it made perfect sense when the city, under Mayor Bill de Blasio, announced a plan to transform Bush Terminal, the 36-acre expanse south of Industry City, into a center for light industry in general and the garment industry in particular. The goal, as *The New York Times* wrote of the city’s plan, was to “create a new, modern garment district” that would presumably supplant the traditional Garment District in Manhattan—one that offered “large industrial buildings, affordable rents and easy access to transit lines.”

That was back in 2017, and since then a painstaking makeover of Bush Terminal has been underway, with a historically considerate renovation of two old warehouse buildings by nArchitects, the Brooklyn-based partnership of Mimi Hoang and Eric Bunge. The firm’s website describes the project this way: “The revitalization of the two former warehouses includes tenant spaces and business support for companies working in design, pattern-making, cutting and sewing, and sample-making. Appropriate to its context of Sunset Park, with its long history as a home to working-class and immigrant communities, the [project] supports opportunities for skilled laborers that are at risk of disappearing from the city.” When the first of these buildings was completed earlier this year, I was eager to see the results.

**O**n a scorching August day, I visited Building A, now completely renovated, well air-conditioned, gorgeous, and largely unoccupied. The result was a very 21st-century combination of rough, industrial structural members and art-gallery aesthetics, such as the gleaming, high-quality concrete floors. There are original columns, according to Hoang, from trees hewed in the early 1800s. To deal with sea-level rise and storm surges now, however, there are also “10-to-12-inch-thick reinforced concrete walls with a waterproof membrane in between the existing brick and the concrete,” principal architect Amanda Morgan added. But, alas, still no argamentos to be seen. As Morgan explained: “Covid hit, and rents

came down. So a lot of people were able to stay in place.” As a result, the New York City Economic Development Corporation rebranded the project: “Now it’s called MADE Bush Terminal.... That’s an acronym, which stands for ‘Manufacturers, Artisans, Designers, and Entrepreneurs.’”

Covid was one reason. But the absence of garment businesses is also partly because the plans for Bush Terminal were not viewed favorably among at least some of the manufacturers in the Garment District. As Katie Sue Nicklos, the CEO of Wing & Weft Gloves, the last custom glove shop in the United States, notes: “The Garment District is an ecosystem. Our work depends on being able to walk a few blocks to a trim supplier, a specialty leather shop, or a tailor who can turn something around same-day. We also need to be close to our Broadway and fashion clientele for these quick timelines. Moving to Bush Terminal would have dismantled that network. The cost and time lost in transporting goods and people between Brooklyn and our current vendors and clients in Midtown would have been devastating.”

Other recent events may have diminished Bush Terminal’s appeal to the rag trade. This past August, the City Council signed off on a rezoning plan for Midtown South, by which it meant the Garment District, that changes the neighborhood’s primary use from manufacturing to residential and allows the creation of 9,500 much-needed units of housing, a third of which would be permanently affordable. But along with the rezoning, representatives of the garment industry, working with city officials, crafted a compromise

that preserves 20 percent of the area for commercial and manufacturing use. Even as the Bush Terminal planners were hoping to attract garment manufacturing to their development, the City Council was sending its own message to the district’s established manufacturers: Please don’t go.

The small industrial preserve in Midtown consists of roughly 39 buildings where residential conversion won’t be allowed. In addition, the city is providing a \$122 million package of programs to help nonprofits purchase space for “fashion and garment uses,” among other things, and to sponsor a branding campaign called “Midtown Made,” which will promote the idea that the garment industry is a central part of the life of the city, as well as a push to get New York fashion designers to manufacture their creations close to home.

**M**eanwhile, as a sector of older industrial Manhattan is preserved, changes at Bush Terminal are moving ahead apace, albeit under slightly different terms: Along with the broader ambitions for the terminal comes some high-level architectural panache. There will be a new park on Pier 6 by the landscape design firm Scape, a new soundstage for Steiner Studios designed by Dattner, and a pair of ancient warehouses, remodeled and refreshed, housing a variety of light industrial firms. Building A is also slated to have a music venue on the ground floor, making Bush Terminal a destination like neighboring Industry City, though it will also have space allotted to community groups and neighborhood schools such as Sunset Park High School.

Certain architectural elements were designed with the garment industry in mind. But mostly this is industrial space that could be useful to anyone. Like many large-scale projects in a city full of contradictions and competing interests, Bush Terminal began as one thing, was planned to be revived as another, and now will likely be a different thing altogether. This, in a way, is the ongoing story of New York City. On the day of my visit, there was only one tenant, a furniture maker named Joshua Hume. He showed off his newly installed air-filtration system and passed around photos of his space’s sunset views of New York Harbor. He was very happy to be there. **N**

*Karrie Jacobs writes frequently for Books & the Arts on architecture and urban development.*

**The idea was to turn**

**Bush Terminal into a garment district, but that did not happen.**



## Who Did What?

Luca Guadagnino's messy campus thriller

BY LOVIA GYARKYE

**T**HERE'S A SCENE IN LUCA GUADAGNINO'S CAMPUS MELO-drama *After the Hunt* in which a student, in a bid to meaningfully connect with her steely professor, issues a desperate plea: "Can we just stop being smart for, like, one fucking second?"

The student is Maggie Resnick, played by the dependably charismatic Ayo Edebiri. She's a struggling doctoral candidate in the philosophy department at Yale, and she puts her request to Alma Imhoff, brought to life by a striking Julia Roberts, over dinner. The pair are sitting in Alma's elegant apartment, a tasteful space warmed by rich wood paneling, amber light sources, and distinctive sconces. The mood is tense, and that question—"Can we stop being smart for one second?"—hangs in the air.

There is some ambiguity about its meaning. Is Maggie asking Alma to descend from her perch on the mountain

of hypotheticals? Does she want to dissolve the boundary between teacher and pupil? Or does she simply want to be seen as a person by a woman whom she's desperate to be like? Whatever it suggests, the question touches a nerve and prompts the viewer to wonder whether it has always existed between the two. By the end of Guadagnino's film, about how a sexual-assault allegation upends a

campus, we come to realize: Well, yes, it has.

It's in the room at the beginning of the film, when Alma, adorned in a crisp white boxy suit, hosts a lavish party with her husband, a steadfast psychoanalyst named Frederik (Michael Stuhlbarg). One can sense its presence when she swans into her seminar, commanding an obsequious group of students to reflect on Foucault's panopticon. It's also there as Maggie, the queer Black adopted child of generous donors to the university, navigates the aftermath of a traumatizing assault in an era in which public opinion is, in theory, on the side of survivors. And it haunts even the film's most comic moments: As zingers and witty ripostes ping-pong between the characters, *After the Hunt* entreats its audience to stop trying to be so cerebral about a #MeToo story.

**G**uadagnino's films have always petitioned viewers to turn off their brains when it comes to love and sex.

The Italian director is attracted to the outcome of impulsive actions taken in the name of desire. Since *Call Me By Your Name*, which followed a 17-year-old boy's torrid summer romance with a man nearly a decade his senior, Guadagnino has been cast as a patron saint of romantic and sexual exaltation. He revels in suggestive close-up shots—a sun-kissed arm emerging from a pool, fingers caressing a peach, a searching hand rubbing a lover's chest—and lingers on the details of touch. His characters, from the hypercompetitive tennis champions in *Challengers*' horny universe to the wistful lovers in *Queer*'s sweaty locales, are bedeviled by yearning and are often experiencing, in Guadagnino's words, "unsynchronized love." Human connections, he has long insisted, cannot be intellectualized. Yet despite circling this familiar theme, *After the Hunt* (with a screenplay by Nora Garrett) ends up moving in the opposite direction: It asks us to stop being so smart even as it continues trying to be.

Some of this seems inevitable, given the setting. Taking place on a university campus in 2019, the film begins in the heady atmosphere of Alma's plushy fête. Her apartment is packed with peers and preferred students. The liquor flows, a tart appears,

and the conversations dart between the banal and the exasperating. It's a delightful scene because of Guadagnino's confident compositions. Working with the cinematographer Malik Hassan Sayeed (*Belly, Dreams Are Colder Than Death*), the director stages and shoots bodies like pieces of a puzzle bursting with carnal undertones. In one of the earliest scenes, Alma is parked on the edge of a coffee table, hand draped across her lap, surveying the room as Frederik and her colleague Kim Sayers (an underused Chloë Sevigny) share a couch behind her. In the next scene, Alma lounges near Hank Gibson, a bullish philosophy professor played with familiar brawn by Andrew Garfield. Their legs touch ever so gently, gesturing to the casualness with which they treat the depth of their mutual affection. Frederik, played with appropriate panache by a wonderful Stuhlbarg, slyly observes the pair before flitting around and checking on guests. Maggie, dressed like she's performing the idea of an adult, sits adjacent to Alma and Hank, wearing an inscrutable expression. As with everybody in Guadagnino's cinematic worlds, you wonder if she is merely watching or secretly longing.

After a particularly heated debate about the sincerity of recent cultural correctives, Maggie retreats to the bathroom, where she finds a mysterious envelope hidden beneath Alma's cabinet shelf. The discovery establishes a crucial secret that *After the Hunt* would have benefited from revealing a touch earlier. Uneasiness permeates the air as Guadagnino, with the help of Trent Reznor and Atticus Ross's spiky score, establishes an atmosphere of suspicion. With a liberal use of whip pans and tight shots, the director recalibrates the film's mood and teases elements that reveal its thrilling ambitions.

The next day, during a severe rainstorm, Maggie journeys across campus to Alma's apartment. Soaked and sitting on the floor in a deserted hallway, Maggie confides to her mentor that on the previous night, Hank crossed a line. The details are left intentionally vague. Maggie, hugging her knees to her chest, just wants to know if she can trust Alma: Will the professor, whom she so deeply admires, have her back? The answer to the question is as haunting as the truth of what happened that night. Maggie and Alma already have an insecure dynamic, suggested by a woefully underdeveloped erotic thread, and what follows should further strain and blur their relationship. But the accusation, which thrusts the campus into a maelstrom, mostly becomes a source of frustrating confusion. The story rarely slows down enough to explore its established ambiguities or settle into the thorny discomforts it reaches for. Maggie's allegations turn into a cipher, and as *After the Hunt* makes its way through the politics of consent culture, of restorative justice, of race, class, and gender, the film stumbles into clichéd terrain.

**A**fter the Hunt, which landed in theaters in October, exists in stark contrast to another recent feature that explores the aftermath of an on-campus sexual assault. Eva Victor's accomplished debut, *Sorry, Baby*, tells the story of Agnes, a reserved former graduate student who is raped by her professor, in five parts that jump between past memories and present moments. The film, which premiered at Sundance and is now available to stream, approaches the trauma of this violation in an understated manner. Victor, who plays Agnes, stays curious as both actor and director about the arrhythmic grooves of healing and builds a narrative around Agnes's relationships. The film basks in the details of conversations between Agnes and her best friend, Lydie, portrayed by the always compelling Naomi Ackie, and also dwells on the surprising rapport that Agnes develops with her neighbor Gavin, played by Lucas Hedges. Like Guadagnino, Victor cares about desire, but the emerging director also embraces how it can become warped and unrecognizable after an assault.

Like *After the Hunt*, *Sorry, Baby* withholds depictions of physical violence. Victor opts instead for a chilling quiet, staging a sequence in front of Agnes's professor's house in which a blunt cut demarcates time before and after the incident. This approach allows Victor to establish, in addition to the narrative itself, a visual vocabulary of care and dignity for her characters.

Although Guadagnino's film is intended as a psychological thriller, rarely does it feel invested enough in its characters to really be one. This cadre of ivory-tower dwellers is an undeveloped bunch, which leaves a formidable cast of stars fending for themselves. Roberts proves to be an excellent anchor, and she manages to pull

off a persuasive interior performance despite Alma's on-the-page limitations. In a post-*Tár* universe, it's hard not to compare her Yale professor to the bristling conductor at the center of Todd Field's taut portrait of the classical-music world. Like Cate Blanchett's Lydia, Alma is a furtive figure shrouded by her elegant wardrobe. As a woman in the university's male-dominated philosophy department, she has intentionally constructed a life that distances biography from scholarship. But this unyielding posture, coupled with the weight of her secrets, prevents Alma from fully submitting to Maggie's pleas, and Roberts's disciplined portrayal lays bare the realities of this internal conflict.

The film's other performances don't fare as well. *After the Hunt* wants Hank to be a more complicated antagonist, one whose guilt or innocence can't be so easily determined, but Garfield is working in the melodramatic shadow of his turn as Eduardo Saverin in *The Social Network*, which doesn't leave much room for inscrutability. But perhaps most shortchanged is Edebiri, who is saddled with a character written to exist primarily as a foil. The actress possesses the talent to do far more, as exhibited by her role in FX's hit culinary drama *The Bear*, but she's operating under duress here. Her character, as written, is an amalgamation of archetypes: a survivor, a representative of Gen Z, an avatar for extreme wealth, and, of course, a Black woman confronting the racist prejudices baked into an American institution.

There's a moment, during a heated confrontation with Alma in the middle of the campus, when we catch a glimmer of who Maggie is and what *After the Hunt* could have been. Edebiri, matching the tenor of Roberts's performance, generates a new dynamic of tension and conflict between their characters. It's an intergenerational showdown that the film, in a rare move, lets play out so that we might better understand Maggie's obsession with Alma and Alma's obsession with herself. While *After the Hunt* is occasionally gripping—especially when Guadagnino returns to form and delights in the absurdity of melodramatic expression—it's more often a plodding film that abandons any promise of real, complex insights in order to chase the fleeting highs of unsatisfying provocation. **N**

Lovia Gyarkye last wrote for *Books & the Arts* on *Katie Kitamura*. She is an editor at *Hammer & Hope*.



# Spirituality Meets Artistry



*"I never expected it to be so beautiful that it takes your breath away."*

— Kaya C., on Stauer Opals

In a quaint village, nestled between rolling hills, lived a young woman with a deep appreciation for gemstones. Her grandmother gifted her a delicate cross pendant adorned with opals. The opals shimmered with a mesmerizing play of colors, reflecting hues of blues, greens, and fiery oranges. Her grandmother shared the legend of the opals, believed to bring hope, purity, and luck to those who wore them.

Using this story as inspiration, Stauer brings you the **Opal Spirit Cross Pendant**. With over 2 total carats of Kyocera lab-created opals set in .925 sterling silver encased in yellow gold, this pendant is a radiant celebration of beauty and craftsmanship. Each opal captivates with a kaleidoscopic dance of fiery oranges blending into oceanic blues, streaked with flashes of vibrant green that seem to come alive with every movement. The shimmering opals are skillfully arranged to create an enchanting, otherworldly glow, embodying the spirit of hope and harmony.

This breathtaking combination of color and craftsmanship is available as a limited availability of only 930 pieces, making it a rare and treasured addition

to your jewelry collection. Plus, when you order today, you'll receive the **Opal Spirit Cross Pendant** at an impossible price of just \$59 normally \$149!

Don't miss your chance to own this exclusive tribute to timeless elegance and meaningful symbolism.

#### Jewelry Specifications:

- Pendant: 2 1/2 ctw. Kyocera lab opals and DiamondAura® accents. Yellow gold-finished .925 sterling silver setting
- Chain: 18" gold-clad .925 sterling silver chain

#### Opal Spirit Cross Collection

- |                        |                        |                          |
|------------------------|------------------------|--------------------------|
| A. Pendant (2 1/2 ctw) | <del>\$149</del> \$59* | + S&P <b>Save \$90</b>   |
| B. 18" Gold Clad Chain | \$59*                  | + S&P                    |
| Pendant and Chain      | <del>\$208</del> \$79* | + S&P <b>Best Offer!</b> |

*\*Special price only for customers using the offer code.*

## 1-800-333-2045

Your Insider Offer Code: **OCR286-02**

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