

RALPH NADER RADIO HOUR EP 348 TRANSCRIPT

Steve Skrovan: It's the *Ralph Nader Radio Hour*.

[Music] Stand up, stand up, you've been sitting way too long.

Steve Skrovan: Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan along with my co-host David Feldman. Hello, David. Have you been getting any sleep the last few days?

David Feldman: No, this Wallace Beery marathon on Turner Classic Movies has kept me up all night.

Steve Skrovan: [chuckle] Well, I guess we have our own ways of coping. And we also have the man of the hour Ralph Nader. Hello, Ralph.

Ralph Nader: Hello, everybody.

Steve Skrovan: As we record this program on Thursday morning, November 5th, the results of the presidential election remain uncertain. But what is certain is that this election has been closer than many of us expected. Donald Trump won more total votes than any Republican nominee in history, something I'm sure he will be trumpeting for a long time. Despite everything this president has stood for and done, how could that possibly be? How come the Democratic Party could not landslide this obvious authoritarian malignant narcissist? What does this say about what American voters really care about? Is Trump's brand of nationalism here to stay? Why is there such a huge urban/rural divide? What does this say about how we even vote in this country? How come the United States of America that bills itself as a paragon of democracy, is such a creaky Rube Goldberg machine of a voting system? These are all things we've talked about one way or another on the show before, but today we've invited the executive editor of *The American Prospect [Magazine]*, David Dayen, to help us sort through it all. In the second half of the show, we will be joined by criminal defense attorney and co-owner of the [newly independent] *Chicago Reader*, Leonard Goodman. We will get his take on the election, but also expand the discussion to include the recent confirmation of new Supreme Court Justice Amy Coney Barrett. Mr. Goodman wrote a piece in the *Chicago Reader* last week called "The real reason Democrats didn't stop the Barrett confirmation." He's got a very provocative take on that so you don't want to miss that.

In between, we will as always take some time to check in with our corporate crime reporter Russell Mokhiber, but first, let's work our way through the depression and anxiety that has been the 2020 presidential election. David?

David Feldman: David Dayen is the executive editor of *The American Prospect*, an independent political magazine, that aims to advance liberal and progressive goals through reporting, analysis and debate. His work has appeared in *the Intercept*, *the Huffington Post*, *the Washington Post* and more. On his previous appearance on the show we discussed his book, *Chain of Title: How Three Ordinary Americans Uncovered Wall Street's Great Foreclosure Fraud*. David Dayen's most recent book is entitled *Monopolized: Life in the Age of Corporate Power*, which was released in July. Welcome back to the *Ralph Nader Radio Hour*, David Dayen.

David Dayen: Thanks very much for having me.

Ralph Nader: Thank you, David. Let's ask a double question here. At this time about Thursday noon, we know that the Democrats, who outspent the Republicans by a couple billion dollars in ads and all the rest of it, almost blew the presidency. But it looks like Joe Biden is gonna win. But it looks like they didn't take control back of the Senate from Mitch McConnell, the tyrant of the Senate, Republican control. So let's start with the Senate. Why do you think the Democrats didn't recover the Senate when twice the number of Republicans were up for reelection in the Senate than the Democrats?

David Dayen: Well, clearly the trend that we saw in the Senate results were that the senators handpicked by Chuck Schumer, all these democratic candidates all over the country who had hundreds of millions, I believe a billion dollars between all of the top Senate candidates, they all either underperformed or performed right at the level of Joe Biden. And of course the states they were trying to contest were all states, you know, mostly states won by Donald Trump. The one state that bucked that trend was Maine where Susan Collins way outperformed Donald Trump on the ticket. And Sara Gideon, the Democratic candidate, ran about 17 points behind Joe Biden. So this was a weak crop of candidates who had a lot of money and didn't do a whole lot with it. If you can find one actual policy that any of them ran on, I'll give you a cookie, because I certainly couldn't find any.

Ralph Nader: I think that was a flaw that they thought if they had enough TV ads, more than the Republicans, they'd win, but policy precedes message. Policy, agenda proceeds what you're going to advertise. And all they could do is focus on COVID-19 properly and how Trump has bungled it and downplayed it, and health care and Obamacare. It's like they couldn't get themselves to address 30 million workers who are making less today, adjusted for inflation, than they made in 1968 because of stagnant wages and a frozen federal minimum wage at \$7.25 and a whole host of other things. They even gave him a pass on being a savage sexual predator to being that and renew that negligent or criminal behavior by Trump. I mean, it isn't that they don't know these things. They know they could have had a compact the way Gingrich did, a compact for America where it addressed people where they live, work, and raise their families. It isn't that they don't know this. What's with this Democratic National Committee Chuck Schumer picking candidates that were designed to lose?

David Dayen: I mean, I think the way that Chuck Schumer looks at Senate recruitment is he picks the candidates who will give him the least amount of hassle if they're part of his caucus. He picks candidates who will do what he says if they get elected. And that's the main criteria for who he ends up picking, and he is picking them. I mean, he unilaterally decides in these states. He jumps into the Senate primaries; he seeds them with tons of money from his donors and his personal networks, and it is almost impossible, once Chuck Schumer chooses a Senate candidate, to actually see someone beat them and that seems to be the main criteria. I mean, if these candidates talked about COVID and health care, that would at least be something. I didn't really even see that. I mean, it was sort of milquetoast talk about bipartisanship and working together to solve problems and things like that. It's just sort of ineffable rhetoric and some of that comes from the top. I mean, Joe Biden didn't run a very policy focused campaign, right? So that filters down to the candidate.

Ralph Nader: But it's so obvious, David. I mean, let's take specifics here, Amy McGrath ran on being a fighter pilot in Iraq, the criminal war in Iraq, and being a mother of three, okay. Schumer picked her. She lost the congressional race in Kentucky two years ago when she should've won. She raised, I don't know, maybe \$60, \$70 million staggering for a small state like Kentucky, and she refused to be advised on anything. Her campaign was like a closed-door operation. Even the

Democratic National Committee, people told me they couldn't get through to her. And she didn't raise the minimum wage. She was given all kinds of opportunities to broaden the attack on this crook McConnell, the worst tyrant the Senate has probably ever seen, totally in the pockets of Wall Street and the Koch brothers. And she lost big; same with Jaime Harrison. He raised almost a hundred million dollars. And he was asked, "Would you oppose Judge Kavanaugh and Judge Barrett for the Supreme Court?" And he wouldn't answer it. So he ran a milquetoast campaign and tried to be very conciliatory; [he] never went after Lindsey Graham the way a progressive candidate would, and he lost big in South Carolina. So here we go again; it looks like Clinton's Democratic Party with Joe Biden at the helm. But what is he going to get done if the great Grim Reaper as Mitch McConnell calls himself; he calls himself "The Guardian of Gridlock", those are his exact words, is in charge of the Senate?

David Dayen: Well, you're asking two different questions there. Number one, I completely agree with you about McGrath and Harrison. I mean, Jaime Harrison was a tobacco lobbyist who became the head of the South Carolina Democratic Party. And his main credentials for that were being able to raise a bunch of money from corporate interests, and he ends up losing by a bigger margin than Biden does in that state. Amy McGrath, as you mentioned, her credentials were kind of thin. She almost lost the primary to a progressive Black candidate named Charles Booker despite outspending him by about 35 to one. She had no shot at any point in the general election. She lost by 21 points in the state that Biden lost by 27. So it was the devotion of resources, and this was mostly by liberals who hate McConnell, who hate Graham. They were duped essentially into thinking there was a chance from these two candidates, when there probably wasn't ever one in these very conservative states. And they just lit money on fire and the consultants got very rich off of this doomed set of campaigns.

Ralph Nader: When you mentioned consultants, that's a very good opportunity for investigative reporting. These political media consultants have a conflict of interest. They make more money from their corporate clients during the year than their political clients and then they want that 15% cut of all the television ad revenue. So that takes money away from the ground game, right? What was the problem with the ground game for the Democrats? They seem to have been . . .

David Dayen: You're exactly right about that. They thrive on television ads rather than organizing on the ground. And there was very little organizing on the ground. Joe Biden famously said that he didn't want any door-to-door campaigning because of the COVID-19 crisis, which at some level is understandable, but there are safe ways to do it. There was only one union that was out there knocking on doors throughout the fall and that was Unite Here, which is the hotel workers' union, largely unemployed hotel workers. And the states that they concentrated on were Nevada, Arizona, and Philadelphia in Pennsylvania. And those are the three most consequential states that look like they are likely to go to Joe Biden and give him the presidency. That shows the power of organizing and yet the consultant class thinks you just throw a bunch of money at TV and that's all you need to do.

Ralph Nader: You see, they don't learn from their own history; that's why they lost in 2016. They didn't have a ground game; they didn't have an organizing game. Hillary was very smug and complacent and spent all the money on TV saying Trump was unfit to be president. There was no bread and butter agenda, no answering to especially white male blue-collar workers, what does a Democrat win mean to them. She downplayed the minimum wage issue.

David Dayen: And I'll tell you what, Ralph, I have a piece actually this week. When you look at the bread and butter issues that were on ballots across the country, they all did extremely well. The

minimum wage, \$15 an hour minimum wage, was on the ballot in Florida and it needed 60% and it got over that threshold. This is the 23rd straight minimum wage increase ballot measure that has passed all across the country including in very conservative states like South Dakota and Alaska. And so the minimum wage increase gets 60% in Florida and Joe Biden gets, I don't know, 47%, 48%. So if you actually look at, divorced from candidates, the issues that passed all around the country, and there were more than just minimum wage. There was a tax increase on the rich for education in Arizona. There was a paid family and medical leave system put in place in Colorado and on and on. And I did a piece at prospect.org about it. The issues when people are going to get something tangible out of it, people are on board with that. It's when it filters down and the candidates just decide not to foreground those issues that they run into problems.

Ralph Nader: Well, let's ask some hard questions here. Why didn't the AFL-CIO call out months ago this terrible losing strategy by Chuck Schumer and the DNC, Democratic National Committee? What about the national citizen groups; why did they give these Democrats a pass? Why doesn't Common Cause, and Public Citizen, and People for the American Way publicly say you Democrats are on the road to disaster. You should be landsliding these corrupt, cruel, vicious Wall Street indentured Republicans. How would you answer that?

David Dayen: It's a tough question. I think what some would say is that they followed the polls and the polling industry obviously had a terrible night and is not really to be trusted and should not really be seen as the end-all and be-all of this. You might want to look to the issues and believe in your principles and believe that the people will follow them rather than thinking, okay, well, it looks like we have a two-point lead in this district or whatever and work from there. The House was worse than the Senate. I mean, the House is going to lose seats. At least the Senate, there's a pickup of at least one seat for the Democrat. Democrats are going to lose seats in the House when they thought they were going to have a 15-seat gain, and they have not beaten a Republican incumbent anywhere across the country so far. There's a little time to go and that might change but it's quite incredible. I would say the House [is a] disaster and they didn't really run on a whole lot of policy either. That was almost worse than the situation in the Senate.

Ralph Nader: Total defensive strategy by Nancy Pelosi. All her materials and mailings were "help us defend Social Security, Medicare, and Obamacare." Well, I mean, how about an offensive strategy? How about raising wages in the US? How about through they even passed a \$15 in the House and they didn't ballyhoo it enough. I think there's a corruption here; I think there's a corporate Democrat corruption here. They know what they could do to win and they're not willing to alienate their donors and their patrons.

David Dayen: Yeah, it could be. I mean, there was one interesting moment in the final debate where Joe Biden, who endorsed a \$15 an hour minimum wage but significantly downplayed it as you said, talked about it. He was asked a question about it and he defended the minimum wage increase. And the number one Google search term during that debate was wages. So it was almost like it was the first time that any individual in the country had heard about this debate and had heard from Joe Biden that he was in favor of increasing the minimum wage, so I thought that was a very telling moment.

Ralph Nader: Well, the corporate Democrats who ran this campaign shoved aside the millions of voters who voted for Elizabeth Warren and Bernie Sanders. They never even mentioned Elizabeth Warren and Bernie Sanders. It was like, oh, no, that's a socialist taint. They didn't even know how to answer this absurd thing that the Democrats were socialists. I mean, there are a 100

ways they could have answered that starting with, Oh, you mean the [U.S.] Post Office, public schools, public drinking water, municipal systems? Do you mean the Tennessee Valley Authority? Do you mean the publicly owned electric utility in Jacksonville, Florida, on and on and on. They played defense and they paid the price. Imagine this corrupt Donald had Joe Biden on the debates on the defensive falsely alleging he took money from the Russians and he was corrupt when he [Trump] is the most corrupt president in American history!

David Dayen: Right. Yeah, I mean, what we did end up with is extremely high turnout and a renewed turnout in some of the places where Hillary had the press turnout, particularly in cities like Philadelphia, Detroit and Milwaukee. And that's really why those states shifted or appear to have shifted toward Biden and why he's going to be president.

Ralph Nader: And there was other assistance though, David. You may not be aware that there was a civic drive led by Eugene Jarecki and professional athletes to open up 70 arenas, college arenas, sports arenas, and professional arenas.

David Dayen: Yeah, absolutely right. And in addition to that, the organizing on the ground by people like Ilhan Omar in Minneapolis and Rashida Tlaib in Detroit, and places like that, also played a role as well as the union canvassing that I was talking about. So when liberals actually made the effort to ask people for their vote, they responded and they did vote. And now we have Biden with likely a Republican Senate and everyone is despairing that nothing can get done. The truth is, is that Donald Trump passed almost no legislation throughout the course of his presidency and yet was very transformative on a number of issues throughout the country using the powers of the executive branch and congressional laws that have already been passed.

So Biden needs to think about this with the same kind of ambition and use the executive branch and the authorities already under his control to make progress. At *The Prospect*, we did last year, a series of things that could be advanced without legislation; it's called "The Day One Agenda". And we're going to be tracking this and pushing this because there's an expansive agenda that you can take care of as president without needing Mitch McConnell to sign off on it. And it's vital, again, to show tangible results for the public and that's the way that they end up rewarding you with their vote.

Ralph Nader: Give the website for Day One Agenda.

David Dayen: Absolutely. It's prospect.org/day-one-agenda. And we're going to be doing a lot of stuff with it. We're going to try to raise the profile of it and make sure that everybody knows that Joe Biden has options--that under presidential authority you can cancel student debt; it can happen. Under presidential authority, you can seize drug patents and make sure that prescription drugs are delivered affordably. You can do a whole host of things in the banking sector including making sure that there's a public option for banking at the Post Office. You can renew the antitrust laws and make sure that large corporations aren't screwing over the American people. There is a host of actions that can be taken at the executive level without Mitch McConnell mattering at all and they need to be done.

Ralph Nader: Well, there's another parallel move that Biden has to take immediately; he has to roll back and repeal all the bad stuff in the executive branch: the EPA [Environmental Protection Agency], the OSHA [Occupational Safety and Health Administration], NHTSA [National Highway Traffic Safety Administration], auto safety, that Trump installed, often illegally, with his henchmen and his corrupt nominees. I think there needs to be a task force to focus on that, because

Obama when he ran, didn't do much rollback of Bush. It was like I wrote column called *The Bush-Obama Regime*. And you really got to get on top of that and make a whole list. He rolled back 100 environmental regulations and standards. He rolled back 50 workplace health and safety standards in the wrong direction.

David Dayen: Ralph, you should be the head of that committee, that task force. You more than anyone knows that executive power matters; in the administrative state, it's very powerful and very important to people's lives. And what they do, burrowed inside those agencies, really, really matters.

Ralph Nader: By the way, what do you think of this strategy to regain control from Mitch McConnell in the Senate? Let's say it's 51-49 in favor of McConnell. And Biden, who has already said he wants some Republicans in his cabinet, offers two cabinet posts to two Republican senators who come from states with Democratic governors.

David Dayen: Yep, let's do it. Pat Toomey, you can be the ambassador to any country you want in the world. And Pennsylvania's Governor, Tom Wolf, will decide to pick your replacement. There are a couple instances like that, Wisconsin and some others, so, yeah, I'm all for it.

Ralph Nader: Do you think that Biden is tough enough or do you think he is going to just blaviate about "I can work across the aisle with Mitch McConnell because I knew Mitch McConnell." He's dreaming if he thinks that.

David Dayen: Yes. I mean, I think his orientation is probably towards that because he's a creature of the Senate and a creature of reaching compromises. He was kind of the designated compromiser with McConnell during the Obama administration. When there were negotiations to be had between the White House and the Senate, Biden would be dispatched over to the Senate to negotiate with McConnell, so that might be his disposition. However, I think it's incumbent on "We the People" to make very clear that the reason that Joe Biden got elected was not to do deals with Mitch McConnell. It was to make improvements for the American people. And he has the authority to do that and McConnell is not necessarily a check on that authority and he needs to do it. So it's going to take a grassroots movement like it always does to make change in America.

Ralph Nader: Yeah, but let's look at reality, David. There was a grassroots movement, it's called the Bernie Sanders campaign. It was amplified and extended by Elizabeth Warren, and they lost. They lost inside the Democratic Party and we're back to the Clinton version of the corporate Democrats run by Joe Biden. So this is a huge setback for progressives in the Democratic Party-- a huge setback and not enough is being made of that. This is just a reinstatement of the Clinton Democratic Party.

David Dayen: Well, I don't think we should sugarcoat it and I think you're right to say that. I'd also say that in times of crisis, ordinary people sometimes are positioned to do extraordinary things. During the New Deal, as you know, Franklin Roosevelt ran on balancing the budget. He got into office and saw the nature of the problem and realized he needed to do some bold experimentation. I always look to the story of The Glass-Steagall Act. So that was the most progressive banking reform that we saw in 50 years. And who was Glass? Well, Glass was Carter Glass. He was the senator, head of the banking committee at one point and he was a total right-wing Democrat. He came from a southern state, Virginia. He was a right-wing stooge for banking interests. I mean, he was a mouthpiece for the banking industry at that time. And the only reason that his name is on Glass-Steagall that he passed, the reform that separated commercial and investment banking, is

because the public wanted something much, much more invasive. They wanted the end of the private banking system entirely. And so the compromise became the separation of investment and commercial banking. And so, you know, we have Carter Glass, this right-wing bank stooge whose name is on the most progressive reform of the last century in terms of the banking system. So it can be done!

Ralph Nader: That's not going to happen with Mitch McConnell. The Democrats have to have a strategy to take back the Senate with the two offers for cabinet secretaries for the Republicans.

David Dayen: We're moving forward in 2022 and taking the Senate at that time. And I just think results matter and policy matters, so you're going to have to find a way to get some results done if you're going to win the trust of the American people. Because I think what the election results showed is that the people don't trust Democrats. They didn't like Donald Trump. They didn't think he was presidential enough and they were willing to vote against him. But they didn't trust Democrats with power. That's not what the election results show.

Ralph Nader: Look at the corporate Democrats. The main difference is they'll protect, to some degree, Social Security, Medicare, Obamacare. On military foreign policy, they're like the Republicans. They're empire oriented. They violate the Constitution. They start new wars without declaration of war just like Libya was provoked. The Libyan war was provoked by Hillary Clinton. The Congress didn't appropriate and authorize any money for that war that is now spreading violence in the whole area of Africa. So how about Wall Street? Well, you know, Joe Biden is a creature of Wall Street. He comes from corporate Delaware. We call him "Delaware Joe." I know a lot of Democrats are breathing the sigh of relief that this tyrant is toppled in the White House and that the Senate is closer. But let's face it, the whole progressive energy over the last four years has been shelved by the corporate Democrats. Our Revolution, Justice Democrats, Indivisible, all these and other efforts, which were not exactly collaborated with by the AFL-CIO. Rich Trumka has some explanation to make to the American people along with Senator Chuck Schumer. But how is this progressive movement, which was quite significant with Bernie Sanders and Elizabeth Warren and others around the country like Rashida Tlaib, and Ilhan Omar, and AOC, going to come back?

David Dayen: Well, I do think that what you saw in the House was that most of the candidates who lost were corporate Democrats, most of the incumbents who lost. And the Squad, the AOC-style Democrats, will add to their ranks with people like Mondaire Jones, and Jamaal Bowman, and Marie Newman in Illinois. So the progressive end is getting bigger incrementally. This is a long-stage process, right? And the corporate Democrats are shrinking, so there's a greater degree of Democrats who are of the progressive tilt within the House of Representatives. And that's going, I feel, to continue. We're going to see more challenges to incumbents from the left, just like we saw this year and many of those were successful. We're going to see a stronger and more engaged progressive campaign infrastructure, those groups that you mentioned like Justice Democrats. And it's going to continue to be successful. Will it be successful in time to stop the climate crisis? I don't know. Will it be successful in time to stop the robbing of the American people by Wall Street and Silicon Valley? I don't know. But I think it's moving in a trajectory that's at least better than it was.

Ralph Nader: Do you think, David Dayen . . . we're talking with David Dayen, Editor of *The American Prospect Magazine*. You think, David, that you don't have a sufficient David Dayen sense of urgency here? We're not talking about gradualism. Look at climate disruption. Look at the increased impoverishment of America. Look at the diminution of the labor movement. I watch

the House very carefully and Nancy Pelosi knew how to control the Squad, the AOC; she would even scoff at them. You got to be a progressive editor that develops a case to challenge Nancy Pelosi for the speakership.

David Dayen: Oh, we have a piece out today that calls for exactly that. So my eyes are extremely wide open. I believe her style of leadership has utterly failed. You look at two races in the country. In Illinois, Cheri Bustos, who was the head of the campaign arm, the DCCC, she ends up almost losing her own race, had to put a million dollars to save herself in the last week of the campaign. Then you go to California and look at Katie Porter, also from a swing district; she ends up getting into Congress, getting things done, conducting meaningful oversight, changing policy, and she had no challenge, no problem in a purple district winning reelection. And so you just look at those two, and this is repeated across the country, when you actually are standing up and trying to protect the American people, the people will respond. And I think that Pelosi's style of leadership has failed and she needs, because she had to cut a deal to get two more terms as speaker, she needs the support of two-thirds of her caucus in order to move forward as speaker in the next Congress. And that means that the Progressive Caucus, which is large, it's over a 100 members, it's more than one-third of the total caucus. They could deny Pelosi the speakership and say we don't believe in your style of leadership. And I think that the Progressive Caucus needs to stand up and say the time for incrementalism, the time for not talking about policy has ended and we need new leadership.

Ralph Nader: I hope you can foment some of this because you know you don't want to end up with Congressman Steny Hoyer becoming speaker. There's got to be a leader of the rebellion coming forward, or leaders.

David Dayen: They need to settle on somebody; maybe it's Pramila Jayapal who's the head of the Progressive Caucus. You know, who knows who it is. I think who the centrists and the corporate Democrats are looking toward is Hakeem Jeffries, who is number three or four in the House leadership and he's a young Black man from the New York City area but has shown certainly some corporate Democrat predilections over the course of his career. That's going to be the battle and it's an important battle for the future of the House Democratic Caucus and the future the Democratic Party.

Ralph Nader: Well, we're almost out of time. We want to have Steve and David weigh in here. Before we do, give the website for Day One Agenda again.

David Dayen: You got it. So if you go to prospect.org, our Day One Agenda coverage will probably be right up there at the top. But the actual URL that gets you to the links to all of our stories about what the next president can do without having to pass new legislation, so that's at prospect.org/day-one, O-N-E, dash agenda.

Ralph Nader: Steve?

Steve Skrovan: Yeah. Both David and Ralph, I'm in show business and I'm gonna try to put this in show business terms what you've just talked about, and tell me if I'm on the right track here. It seems like Democrats run elections like they're casting a movie. And they start by picking the stars but they have no script, no story. And when I say no story, I don't mean, you know, I'm from Scranton, my dad worked in a mill. I'm talking about policy. And they can't seem to understand why they get a bunch of people on the premiere and then they don't understand why they get bad reviews and bad word of mouth. Was that a pretty good analogy?

David Dayen: Yeah, you're saying that Democrats are producing Ishtar.

Steve Skrovan: Yeah. [laughter] Well, they're concentrating on character and that I'm a good guy and I'm a better guy than this person, and we're finding out that people don't really care about that. They want a good story; they want a good policy.

David Dayen: Yeah, it's amazing. If you ever . . . the difference is very clear when you look at a presidential debate moderated by a member of the media and then they do a town hall debate where the questions come from people. And the debate moderated by the media has a lot of this stuff about character and politics and things like that. Every single question when you go to a town hall debate is about policy. It's about what are you going to do to help my family. What are you going to do about this issue or that issue? It's very clear that the American people are interested in what government can do to improve their lot.

Ralph Nader: Well, the question I have is as Bernie Sanders and Elizabeth Warren now in the Senate, are they going to speak up about the failures of the Chuck Schumer type of strategy? And do you think you can get *The Prospect* to get an interview with either one of them? Or are they going to just get along by going along and be only two votes in the Senate?

David Dayen: [chuckle] Well, you've now given me an assignment, so I'd better get to it. So I think that them, along with people like Sherrod Brown and Tammy Baldwin and some of the other more progressive members of the Senate, have a lot of soul searching to do, and think about whether they want power and the best way that they believe to get it, and whether Chuck Schumer is setting them on that path or not.

Ralph Nader: Any possibility of a progressive senator's challenge to Chuck Schumer as the leader of the party in the Senate?

David Dayen: I mean, the problem you run into is that virtually every member of the Senate, Democrats has been handpicked by Chuck Schumer and owes Chuck Schumer a favor on this or that for getting elected. And that even includes people like Elizabeth Warren who got a lot of money from Schumer on her first run for Senate. Sherrod Brown has gotten a lot of support from Schumer and the Senate Democratic Campaign Committee. So it's going to be difficult but I think if they straight up look at the facts, it becomes clear. And one thing I would add is that Chuck Schumer is up for reelection in 2022. And New York is very rapidly shifting to the left. And there are a lot of ambitious progressive Democrats in New York City and in New York State who would be all too happy to challenge Chuck Schumer from left and force him to have a much better agenda in 2022.

Ralph Nader: And, they have a good issue, Chuck Schumer is the Democratic pillar of Wall Street. He never goes for an expanded capital gains. He supports Wall Street loopholes. He supports big Wall Street banks. And that's who is going to rule the Senate if the Senate gets switched to the Democrats? I mean, how many more decades will we have to wait for these corporate Democrats to be replaced by a groundswell of movement, once and for all that spells the words progressive all over the Senate? There's not enough urgency by the progressive leaders in this country and the labor unions. They get along by going along. I don't see light at the end of the tunnel.

David Dayen: Well, look, I mean, Nancy Pelosi has been running essentially a one-woman Congress since the pandemic hit. I mean, she has been unilaterally negotiating with the White House and with Mitch McConnell on any kind of economic relief for the American people because of their coronavirus crisis. I mean, there literally is no role being played by virtually any other

member of the House of Representatives other than Nancy Pelosi. And shockingly, we haven't heard many progressive Democrats speak out about that. They haven't voted against bills. Other than AOC, they haven't voted against any of this legislation that Pelosi shoves in their hands and says go pass this. So we do need more urgency and we need more courage to speak up.

Ralph Nader: Imagine, Pelosi and many in the House leadership didn't even make hay after they passed in May the relief bill: \$600 a week, \$1250 support for schools, support for healthcare facilities, the Post Office. They never slammed that against McConnell, even in Kentucky with Amy McGrath, to say why are you blocking Kentucky workers and workers all over the country in need from getting another extension of \$600 a week? This is a party that doesn't want to win progressively. They want to win corporately, and they almost devastated the country by letting this tyrant win again a second term, David?

David Dayen: Yes, I don't have a lot to add to that. I mean, you've been pounding this drum for many, many years and this is the fact of life. And how many times do we have to see people who talk about the issues; issues themselves win across the country. And those who hang back talk about character, talk about bipartisanship and working together. How many times do you see those people end up failing? We need to learn from the evidence. Democrats like to say that they believe in the science and they believe in the evidence, but the evidence is staring them in the face that they need to alter their trajectory as a party.

Ralph Nader: The Republicans give the Democrats 12 arrows for their quiver, as I've said, and they use about three. I think Joe Biden, when he declares victory, he should thank Donald Trump. Donald Trump gave it to him. David Feldman, any call?

David Feldman: Yes, any movement in the state houses and how that will reflect on the census?

David Dayen: No, there wasn't, and this is the most under the radar issue coming out of the election. This was a redistricting year. This is a census year and the results of this election sets the legislature that will draw the district maps both in Congress and in the state legislatures for the next 10 years. And Democrats thought going in that they were going to be able to flip some chambers and get some more say in that process so there wouldn't be any level of gerrymandering in many states and they just weren't able to do it. Right now, they have flipped zero legislatures! And there's a strong likelihood that they won't get any of them or maybe a token one or two here and there. So this is a major problem, because we're going to see the same kind of gerrymandering where the politicians pick the voters rather than the voters picking the politicians. And that's going to entrench Republican dominance in several states moving on through the next decade.

Ralph Nader: And that is a big part of the failure of the election 2020. I mean, as you say, this has a long tail in favor of the Republicans who control so many of these state legislatures. It's time for a new broad-based political party. Time's up for the Democratic Party. We're out of time. David Dayen, Executive Editor of *The [American] Prospect Magazine* and someone who gets to the core of the issues of distribution of power and wealth in our society. Thank you, David.

David Dayen: Thank you, Ralph.

Steve Skrovan: We have been speaking with the executive editor of *The American Prospect*, David Dayen. We will link to his work at ralphnaderradiohour.com. Let's take a short break. When we return, we're going to continue sorting through the election and discuss the appointment of Amy Coney Barrett with the *Chicago Reader's* Leonard Goodman. But first let's check in with our corporate crime reporter, Russell Mokhiber.

Russell Mokhiber: From the National Press Building in Washington, D.C., this is your Corporate Crime Reporter Morning Minute for Friday, November 6, 2020. I'm Russell Mokhiber.

An intubated coronavirus patient was declining rapidly when doctors decided to airlift her to a hospital with better critical care resources. The patient was flown by helicopter from one Philadelphia hospital to another 20 miles away. She spent six weeks at the new hospital and survived. When she came home, a letter arrived: The air ambulance company said she owed \$52,112 for the trip. Last year, Congress abandoned its attempt to prevent surprise bills like this one, and coronavirus patients are now paying the price. Bills submitted to *the New York Times* show that patients often face surprise charges from out-of-network doctors, ambulances and medical labs they did not pick or even realize were involved in their care. That's according to a report from Sarah Kliff in *the New York Times*. For the *Corporate Crime Reporter*, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russell. Welcome back to the *Ralph Nader Radio Hour*. I'm Steve Skrovan along with David Feldman and Ralph. The Democrats claimed to oppose Amy Coney Barrett's nomination to the Supreme Court. But their resistance seemed a bit halfhearted. Why was that? Our next guest has a pretty good idea. David?

David Feldman: Leonard Goodman is a Chicago criminal defense attorney and a co-owner of the *Chicago Reader*. As an attorney, Mr. Goodman has built a successful practice representing many defendants who would otherwise not receive fair representation. He represents 15% to 30% of his clients pro-bono. Mr. Goodman also writes regularly for the *Chicago Reader*, including a recent piece entitled "The real reason Democrats didn't stop the Barrett confirmation".

Welcome to the *Ralph Nader Radio Hour*, Leonard Goodman.

Leonard Goodman: Hi, David. Hi, Ralph. Hi, Steve; nice to be with you.

Ralph Nader: Thank you, Leonard. Well, what is the real reason why the Democrats didn't go all out against Judge Barrett?

Leonard Goodman: The donors clearly were fine with having a Justice Barrett. You know we supposedly live in a representative democracy, but it's pretty clear, we have two corporate parties and they are both playing to their donors and trying to enact policies that will satisfy the donors. And I think this has been proven again and again with studies that the will of ordinary people has almost zero impact on most issues over policy. The donors control, and Amy Coney Barrett, in her short time as a judge on the 7th Circuit, has proven herself to be a corporate-friendly judge. Just less than a month before she was nominated, she had ruled in favor of tech companies that wanted to prevent gig workers from access to the courts when the tech companies cheat them out of overtime wages. And she has proven to be a reliable asset for corporations. She's a member of the Federalist Society, so the donors clearly were perfectly content with having a Justice Amy Coney Barrett on the court.

Ralph Nader: What could the Democrats in the Senate have done beyond what they did do given that they don't control the Senate and it's under the iron hand of Mitch McConnell?

Leonard Goodman: Well, that's certainly a fair point and a good question. One thing they could have done is people are desperate out there, Ralph, as you know better than anyone. In the midst of a pandemic, they could have taken Trump up on his offer for a two trillion dollar stimulus bill

and put the pressure on Mitch McConnell in the Senate and demanded hearings on that. People are desperate for relief; we have a wave of addictions that's going to start soon. It's a really desperate situation for many Americans, and the Democrats certainly could have gone that route and made that an issue, which would have made it much more difficult to spend the last week before the election ramming through a justice to the Supreme Court. Certainly there's other techniques that could have been used, parliamentary techniques, which I'm not an expert on, but I certainly do believe that if they had wanted to stop her, and if the donors didn't like her, they could have stopped her.

Ralph Nader: It did seem that they accepted it right from the beginning. They had a resignation attitude right from the beginning, the Democrats, where at the end of this election, the Democrats, as we've discussed earlier, almost put the country in a disaster and had Trump reelected. They lost Senate seats they should've won, so the Republicans control the Senate, at least for the time being. And they didn't switch any state legislatures, so there's going to be more redistricting in favor of the Republicans and not to mention the mess with the census. What's your view of why they failed so miserably when they had so many arguments/arrows in their quiver, [so] to say, that they didn't use?

Leonard Goodman: Well, I just heard an exit poll, I think it was a Fox News exit poll, that more than 70% of Americans, not just Democrats, but all Americans, favor Medicare for All or a single-payer healthcare system, especially in the middle of a pandemic. And yet that position is not even considered for either party, because both parties are taking positions that will keep their donor base happy. I don't think it's about winning. Certainly if the Democrats had wanted to win, Joe Biden could have come out strongly for a single-payer Medicare. He could have come out for ending wars. He could have come out for putting people back to work like FDR did. The other interesting thing is that they lost ground with Blacks and Hispanics over the last four years, which is somewhat shocking when you consider Donald Trump, you know, overtly racist, xenophobic president for four years. And how did the Democrats lose ground? There was simply no attempt to take positions that would appeal to progressives, that would appeal to working people, that would appeal to unions; it simply courted the donors. And it's not a strategy designed to win; it's a strategy designed to keep the donor base happy. And you talk about it really in a lot of ways this is a good situation for Biden to be able to have a built-in excuse, because if the Senate is still in the control of the Republicans, they can satisfy the donors and tell the workers that we really would love to help you but we're blocked in the Senate.

Ralph Nader: Seemed like their primary goal, Leonard, was [to] outraise the Republicans and they did that. Almost double, more money was raised by the Democrats, but they had no message other than COVID and Obamacare to speak of. And so policy precedes message and that's why all of the ads failed for Amy McGrath in Kentucky against McConnell and Jaime Harrison against Lindsey Graham in South Carolina. They plastered the state with nonstop ads that had almost no impact and they lost miserably because they didn't run on an agenda that met the needs of people where they live, work, and raise their families regardless of what political labels these people put on themselves.

Leonard Goodman: Correct. With an issue-free election, and McGrath, if you recall, she was up against what appeared to be a true progressive. I think his name was Booker. And we were told we can't nominate . . . the Democrats can't nominate Booker; he's too far to the left. We need Amy McGrath, a conservative. But really Amy McGrath was a darling of the donors and you see what happened. She went down in flames.

Steve Skrovan: Just before you go, I have a quick question. Obviously Nancy Pelosi, Chuck Schumer, Democratic leadership, the DNC, Tom Perez, they're afraid of alienating big donors. We saw that in the Democratic primary also. Did they have a point? If they alienated their big donors, would that be political suicide? Would that be unilaterally disarming? Would those big donors flock to the other side? That seems to be the big scary monster there. Is there a case to be made for that?

Leonard Goodman: Well, sure they would. They would flock to the other side, but what Bernie Sanders proved really Barack Obama in his initial run, although he then turned to corporate donors, but you know, you can raise a lot of money through small donations and not be beholden to corporate interests. It is possible and Bernie Sanders has proven that. It's just harder. It's a lot easier to just call up a bundler and say I'm here for you, you need to be here for me. I come from a corporate family, I see this from the inside how it works. And that's a lot easier than actually having a populist message and going to all the communities and raising small-dollar donations and getting people excited. How many people were excited about Joe Biden? I don't know anyone. I think a lot of people were excited about seeing Trump go, but I don't know anyone who was excited about Joe Biden.

Ralph Nader: And you know, Leonard, it's easier than ever now for these campaigns to raise big money on the internet in small donations. I mean, Bernie in 2016 raised over \$200 million—unprecedented! And it's only getting easier as more and more people see themselves as small donors.

Leonard Goodman: That's right. That's absolutely right. There's really no excuse except . . . and I do firmly believe that once people sell out, and this is something I sort of . . . that once people sell out, it's hard to reverse that. Once you compromise yourself, and this is something I remember Ralph talking about in 1999 when I went to hear him at a rally, I think it was at UIC Chicago when you were running for president. As you know, if you start to compromise, especially as a young person, it becomes a habit in your life. You need to take a stand. And if you think I'm the best candidate then you should vote for me. And I thought that was really profound and it's something I'll never forget, because once you start to compromise your principle--that doesn't mean you can't compromise when you're in office and make deals. But once you compromise and vote for somebody . . . Joe Biden shares none of my values. He's pro war; he's pro Wall Street; he's against Medicare for All. Now, I understand the calculus of getting Trump out and I would like to see Trump gone as well. But it's hard to ask people to go out and take the day off work and vote for somebody that shares none of their values. So what I'm saying is you're correct, Ralph, people can raise money by getting people excited rather than just getting the donors excited.

Ralph Nader: The best way to win the election . . .

Leonard Goodman: This maybe takes a little more risk but it can be done.

Ralph Nader: Yeah, the best way to win the election is to stand with the people in very concrete authentic ways. And [then] they don't have to worry. Senator Proxmire never had to raise any money from Wisconsin, but he campaigned all over Wisconsin running. He is a runner and he'd take jobs for a day or two behind a restaurant. He would take jobs, for example, working in a restaurant and working with sanitation workers. And he would spend four to five hundred dollars in his Senate race mainly for postage to send back unsolicited donations, Senator William Proxmire. Because they saw him he's being for the people.

Steve Skrovan: Yeah, it can be done.

Ralph Nader: Well, we're out of time. We've been talking with Leonard Goodman who is a criminal defense lawyer. He has taken some great cases in the Chicago area in the federal courts and he is reviving the *Chicago Reader*, which has a great tradition into a nonprofit so they could be a model for the rest of the country. Thank you very much, Leonard.

Leonard Goodman: It's an honor, Ralph. Great to talk to you.

Steve Skrovan: We have been speaking with the co-owner of the *Chicago Reader* and criminal defense attorney Leonard Goodman. We will link to his recent article at ralphnaderradiohour.com. Okay, let's do some listener questions. This one comes from a long-time listener who actually usually comments on our web page just about every week with a lot of very thoughtful comments. So David, why don't you read that question?

David Feldman: Al-Afdal Shahanshah writes "For the longest time I've been under the impression that Ralph's old book, *Only the Super-Rich Can Save Us!*, was just a work of satire, but I guess I was wrong. Ralph is advocating for full-on class collaborationism here. Capitalists aren't going to make their system stable and caring out of the goodness of their hearts. For every patriotic millionaire, there is a more ruthless member of the ruling class that can out-compete the meeker millionaire and more effectively exploit their workers' labor, obtain more surplus for themselves than the meeker millionaire, and more effectively control society. They are only too compelled to engage in their antisocial behavior by the system of market competition. When is Ralph going to give up on this fantasy of widespread nobility among the ruling class? Is Ralph just hoping for one of these especially enlightened members of the ruling class to seize power, defeat the rest of their peers, and become one of Plato's imaginary philosopher kings? It strikes me as a very medieval attitude.

Ralph Nader: Watch out for the fallacy of stereotyping all wealthy people and listen to the lessons of history. The "abolition movement" was supported by a very small handful of wealthy people in addition to a lot of on-the-ground advocates and people like Frederick Douglass. The "women's right to vote movement" received funds to keep it going and pay its expenses at a very critical time also in the early twentieth century by wealthy people--some wealthy women in Philadelphia, others in Boston and New York. The "second-stage civil rights movement" received seed money in the early years of the late 1950s by the Curry Family in Virginia and the Stern Family in New Orleans. Do you think that these people didn't help? Do you think they shouldn't be asked for help? Do you realize if we had just one out of hundreds of billionaires [that] one enlightened billionaire can fund the development of Congress Watchdog groups all over the country? Organizers have to be paid for a living. Expenses have to be paid on the ground. It takes money. So if you have wealthy people, and they're a very tiny percentage I agree with you, who are willing to do the right thing without any strings attached, why not?

David Feldman: Do they tend to mostly concern themselves with social issues as opposed to labor issues, class issues?

Ralph Nader: [It's] a whole variety. Some of them give to charities, hunger in America; that's fine. But there are some that are very strategic and they want to shift power from the few to the many. Some of them came from working-class backgrounds; they hit it big in some startup company, and they still retain their values.

David Feldman: Is it inherited wealth?

Ralph Nader: Some of it is like Chuck Collins who led the fight with wealthy Bill Gates Sr., that's Bill Gates's father who is a lawyer in Seattle, and he blocked the almost certain repeal of the estate tax on wealthy people that was about to go through Congress and be signed by George W. Bush. That's a bad thing?

Steve Skrovan: All right, very good. I want to thank both our guests again, David Dayen and Leonard Goodman. For those of you listening on the radio, that's our show. For you podcast listeners, stay tuned for some bonus material we call "The Wrap Up." A transcript of this show will appear on the *Ralph Nader Radio Hour* website soon after the episode is posted.

David Feldman: Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel. And for Ralph's weekly column, it's free, go to nader.org. For more from Russell Mokhiber, go to corporatecrimereporter.com.

Steve Skrovan: For a copy of *The Day the Rats Vetoed Congress*, go to ratsreformcongress.org and also check out *Wrecking America: How Trump's Lawbreaking and Lies Betray All*, co-written with Mark Green. We will link to those also.

David Feldman: The producers of the *Ralph Nader Radio Hour* are Jimmy Lee Wirt and Matthew Marran. Our executive producer is Alan Minsky. Our theme music "Stand up, Rise Up" was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon. Our intern is Michaela Squier. Join us next week on the *Ralph Nader Radio Hour* when we welcome saxophonist and composer Paul Winter, a pioneer of world music and earth music.

Thank you, Ralph.

Ralph Nader: Thank you, everybody, and it's going to be a great program with Paul. He went into the ocean depths to pioneer how whales communicate with one another. It's really spectacular.

[Music]

Don't let them fool you

You have the power in your hand

I'm only trying to school you