

The Lesser Evil Is Still Less Evil

July 31, 2024



Symposium on the U.S. Election

This article is part of a symposium on the U.S. election.

The U.S. Left has long debated how to respond to elections and this year the controversy is more intense than usual. We asked two thoughtful left commentators—Rebecca Gordon and Natalia Tylim—to give their contrasting views on the November election and then we got brief personal comments from several members of the *New Politics* editorial board. Please note that these articles were completed before the June 27 Biden-Trump debate. The arguments advanced regarding Biden and the election more or less still apply if the Democrats replace him with another politically comparable candidate.

The Lesser Evil Is Still Less Evil, *Rebecca Gordon*

No Election Can Save Us: Confronting Genocide and Creeping Fascism, *Natalia Tylim*

Vote To Save Our Basic Civil Rights, *Frieda Afary*

Don't Just Vote or Not Vote, *Daniel Fischer*

The Election and Left Responsibility, *Stephen R. Shalom*



Back in 1996, California's communities of color (and women in general) confronted an electoral attack in the form of a ballot proposition outlawing affirmative action programs at all levels of government in the state. Prop. 209 (originally titled, without the slightest irony, the "California Civil Rights Initiative") followed a successful Republican-led campaign for Prop. 187, which outlawed provision of any public services, including education and health, to undocumented people. Although the voters approved it, most of Prop. 187 was blatantly unconstitutional, as was quickly affirmed by the courts. Californians weren't so lucky with Prop. 209.

Opposition to Prop. 209 was initially quite fragmented, but in 1995 several community organizations put together about \$15,000 to seed a grassroots field campaign with two goals: first, to bring out the vote in marginalized communities against the ballot initiative, and second, to help build political power in those communities. I was lucky enough to play a role in that campaign.

It was far from easy, as our young organizers and canvassers learned, to convince people to vote who were largely alienated from traditional electoral processes over which they believed they had no

control, but which nevertheless profoundly affected their lives. So you can imagine that we were not happy when one of the three founding organizations chose for the cover illustration of its October news bulletin a photograph of a brick wall bearing a then-popular graffiti inscription: "If voting changed anything, they'd make it illegal."

Of course, for over a century, "they" *had* made voting illegal—for women until 1920, and for most African Americans in the South until 45 years later. We celebrated passage of the 1965 Voting Rights Act, not imagining that in 2013 a Supreme Court majority shaped by three successive Republican presidents would gut its central provisions in its 2013 *Shelby County v. Holder* decision.

Those of us who'd grown up during the Civil Rights movement were more than a little offended at our sister organization's cavalier dismissal of a right people had died to secure. At the same time, we recognized the contradictory and imperfect realities of electoral organizing. We understood that even successful electoral campaigns could sometimes win depressingly little—as little as holding the line on an unacceptable and unjust status quo. Nineteen ninety-six was, after all, the year that congress passed Bill Clinton's Personal Responsibility and Work Opportunity Reconciliation Act, otherwise known as "welfare reform," the culmination of decades-long attempts to deny women of color, especially African American women, access to the New Deal-era program of Aid to Families with Dependent Children. So yes, even winning an election doesn't always get you what you want, or even, as the Rolling Stones might put it, what you need.

Can We Afford to Vote Our Consciences?

All of which brings me to the questions facing the left in the 2024 presidential election. Recently a bunch of folks who worked on that Prop. 209 campaign had an impromptu reunion. It was pure joy to hang out with them and remember a political struggle during which, as my partner and I like to say, we taught a generation of young people to ask, "Can you kick in a dollar to help with the campaign?" For a couple of old white lesbians who, in the words of a beloved Catherine Koetter poster, "forgot to have children," those still-committed organizers and activists are the closest thing to offspring we've got. And their kids, including one now in college, who were willing to hang out with their parents' old buddies, are the closest we'll ever have to grandchildren.

After catching up on personal histories, the conversation naturally turned to the state of the world: the wars in Ukraine, Gaza, and Sudan, the grinding pain on this country's border with Mexico, and of course the looming 2024 election campaign. It was then that the college student told us he wouldn't be voting for Joe Biden—and that none of his friends would either. The president's initial support of, and later far-too-tepid objections to, the genocidal horror transpiring in Gaza were simply too much for him. That Biden has managed to use his executive powers to cancel \$138 billion in student debt¹ didn't outweigh the repugnance he and his friends feel for the president's unflinching support of Israel's Gaza war. He was unmoved by a few performative scoldings of Netanyahu and U.S. plans to construct a floating aid pier. To vote for Biden would be like taking a knife to his conscience.

It's an understandable feeling. Just as it's understandable that exit polls suggest that 94 percent of Michigan Muslims voted "uncommitted" in February's Democratic Party primary. And that, as the *Washington Post* reported (May 20, 2024), "some Arab American donors and activists are considering not just sitting out the [general election], but working outright to elect Trump."

Still it's ironic that in the same week that Trump sent Richard Grenell, his former ambassador to Germany and acting director of national intelligence, as an envoy to Arab-American and Muslim organizations, he also sought campaign funds from anti-Palestinian donors. The *Bulwark* says that Trump's campaign is "also ramping up outreach to major Jewish Republican donors who have yet to

contribute, like billionaires Steve Schwarzman and Paul Singer,” and that, “Trump’s ‘emissaries’ are also courting billionaire hedge fund manager Bill Ackman, who helped force the resignation of Harvard’s president for her handling of anti-Israel protests on campus.”²

There are no words for the anger I feel this year, to be confronted with a choice between two elderly candidates, one an enabler of an ongoing genocide, and another who promises that if elected, he’ll be more genocidal still. When the International Criminal Court’s chief prosecutor seeks arrest warrants for Bibi Netanyahu and his defense minister, Yoav Gallant, Biden calls it “outrageous.” Trump, on the other hand, has told the IDF that they have to “finish the problem” in Gaza, the problem being, presumably, most of the people who live there. And his ardent supporter in the Senate, Lindsey Graham, has called for nuking the territory.³

It might appear that there’s not much to choose between the two when it comes to the Middle East. And in this arena, despite Trump’s reflexive isolationism, it does seem that the post-war two-party foreign policy consensus is still holding.

Given a decision between two terrible options, I’m not surprised that people of conscience would decide to sit this election out. But I’d argue there are important reasons for people on the left to vote for Joe Biden in November. A lesser evil is still less evil, and in this case, substantially less so. I present here a few of the many reasons why I believe this is true.

Attacks on Working People and Women

By now most readers of this article will be familiar with the Heritage Foundation’s *Mandate for Leadership*, also known as Project 2025, a complete schema for a second Trump presidency. Mainstream media has done a pretty good job of covering plans to consolidate executive power, in part by eviscerating the civil service and replacing 50,000 competitively chosen federal employees with political appointees.

Less, however, has been written about Republican designs on working people and the unions some of us are still lucky enough to have. The *New York Times*’s Carlos Lozada did us a favor by working his way through all 887 pages of *Mandate for Leadership*.⁴ Lacking his stamina, I recently opted for a deep dive into a single chapter, the one focused on the “Department of Labor and Related Agencies.”⁵ Its modest 35 pages offer a plan to thoroughly dismantle more than a century of workers’ achievements in the struggle both for dignity and simple on-the-job survival.

The opening salvo of that chapter is an attack on federal measures to reduce employment discrimination based on race or sex, by eliminating “racial classifications.” In other words, the solution to the problem of discrimination in employment in Project 2025’s view is to ignore the existence of race (or sex, or sexual orientation) as factors constraining the lives of working people. It’s simple enough: if there is no race, then there’s no racial discrimination. Problem solved.

And to ensure that it remains solved, Project 2025 would prohibit the Equal Economic Opportunity Commission from collecting employment data based on race. The mere existence of such information, explains the chapter’s author, means that “data can then be used to support a charge of discrimination under a disparate impact theory. This could lead to racial quotas to remedy alleged race discrimination.” In other words, if you can’t demonstrate racial discrimination in employment (because you’re enjoined from collecting data on the subject), then there’s no racial discrimination to remedy. Case closed (or rather, never opened).

Project 2025 follows up its attack on racial equity in employment with suggestions for dismantling many of the protections workers gained with the passage in 1938 of the Fair Labor Standards Act,

which established “minimum wage, overtime pay, recordkeeping, and child labor standards affecting full-time and part-time workers in the private sector and in Federal, State, and local governments,” according to the Department of Labor. Under their plan, a new Trump administration would seek to replace overtime pay with personal time off (which many workers would never actually be able to use) and replace employee protections with the “independence” available to contingent gig workers, reclassified as contractors. Other proposed measures include:

Rolling back protections against child labor.

Amending the National Labor Relations Act to allow “Employee Involvement Organizations” to supplant unions. Such “worker-management councils” are presently forbidden, because they replace real unions that have the power to bargain for wages and working conditions with toothless pseudo-unions.

Ending the use of “card checks,” thereby making it harder for workers to get their union certified.

Allowing individual states to opt out of labor protections granted under the Fair Labor Standards Act and the National Labor Relations Act, essentially ending almost a century of federal protections for working people.

What about prospects for women’s lives should Trump win? Joe Biden supports abortion access. Donald Trump, by comparison, is not willing to promise he won’t support prosecuting women who terminate pregnancies.⁶ Some of his Republican supporters have set their sights on even further encroachments on women’s humanity, advocating restrictions on access not only to abortion, but contraception, and Trump has equivocated mightily on this issue. Some, like the GOP’s gubernatorial candidate in North Carolina, have even said they are comfortable with denying women the vote.⁷

And on Democracy

As president, Donald Trump was often frustrated by legal constraints on his desire to rule by fiat. He has told the world that should he win in November he aspires to be a dictator, and not just “on the first day.” At a National Rifle Association convention in May, he floated the idea of remaining in office for a third term, and perhaps beyond.

It gets worse. Trump is ready to deploy the U.S. military against its own citizens. According to the Brennan Center for Justice, “Trump would reportedly invoke the Insurrection Act—a law that gives the president nearly unchecked powers to use the military as a domestic police force — on his first day in office, so that he could quash any public protests against him.” He has announced his intention to deport as many as 20 million people (many of whom may well be legal residents or even U.S. citizens), and to establish giant deportation camps on the U.S.–Mexico border.⁸

The only thing that kept Trump from doing more harm than he did during his first term was his chaotic and lazy way of working. His attention span was notoriously short, and he could be easily distracted by any shiny object. Much of his daily schedule was given over to “executive time,” an apparent euphemism for watching cable TV and responding on Twitter to whatever he saw there.⁹ Things would be very different in a second Trump administration, one designed and implemented by the people behind Project 2025.

Recently, perhaps to reinforce my own lackluster commitment to working for Biden’s re-election, I looked back at some of what I wrote during Trump’s first (and God willing, only) term, to remind myself just how bad it was. I was surprised to find that over those four years I’d produced almost 30

pieces about living in Trumpland.

I won't summarize that ephemera here, except to remark that I still believe some of Trump's worst crimes were epistemological—crimes, that is, against truth itself. By subjecting us all to a firehose of falsehoods,¹⁰ not least about who won the 2020 election, he successfully undermined many people's confidence that it is possible to know whether something is true. His constantly shifting pronouncements, his prolific use of Orwell's brilliant invention, the memory hole, his disdain for scientific method—all this encouraged people to believe that reality is infinitely malleable. You don't like things the way you find them? Then, in the immortal words of Trump campaign manager and adviser Kellyanne Conway, just embrace "alternative facts."¹¹ This intentional distortion of reality is a classic authoritarian trick, designed to convince masses of people that, as Hannah Arendt wrote in the *Origins of Totalitarianism*, nothing is true and everything is possible.

In a world on fire, we cannot afford four more years of that. This year, the lesser evil is considerably less evil.

Note: Portions of this article have appeared in different form at tomdispatch.com.

Notes

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2. Mark Caputo, "'October 7 was a turning point': Trump's pro-Israel fundraising accelerates," *Bulwark*, May 20, 2024.
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4. Carlos Lozada, "What I Learned When I Read 887 Pages of Plans for Trump's Second Term," *New York Times*, Feb. 29, 2024.
5. Jonathan Berry, "Department of Labor and Related Agencies," *Mandate for Leadership, 2024*, ed. Paul Gans and Steven Groves (Heritage Foundation, 2024).
6. "Read the Full Transcripts of Donald Trump's Interviews with TIME," *Time*, April 30, 2024.
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8. Philip Bump, "The incomprehensible, unattainable scale of Trump's deportation plan," *Washington Post*, May 15, 2024.
9. David Smith, "'Executive time': how, exactly, does Trump spend 60% of his day?," *Guardian*, Feb. 7, 2019.
10. Glenn Kessler, Salvador Rizzo, and Meg Kelly, "Trump's false or misleading claims total 30,573 over 4 years," *Washington Post*, Jan. 24, 2021.
11. Eric Bradner, "Conway: Trump White House offered 'alternative facts' on crowd size," *CNN*, Jan.

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