

Democrats fast-track Trump's Supreme Court pick

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On Saturday, the *New York Times* reported that the Democratic Party will not oppose the plans of the Trump administration and the Senate Republican leadership to confirm a new Supreme Court justice to replace retiring Justice Anthony Kennedy before the November midterm elections. Trump has pledged to nominate a far-right justice who will overturn protections on voting rights and abortion, among other crucial democratic rights.

The *Times* reported that the Democrats have developed a “careful strategy” by which they will “drop their demands that Republicans not appoint a replacement for Mr. Kennedy until after the elections” and instead will “highlight the threat to abortion rights and health care to try to mobilize opposition to Mr. Trump’s appointment.”

In an op-ed article posted Monday on the *Times*’ website, Senate Minority Leader Charles Schumer clarified that this approach was based on an appeal to “moderate” Republican senators, especially Susan Collins of Maine and Lisa Murkowski of Alaska. “The best way to defend those rights is for a bipartisan majority in the Senate to lock arms and reject a Supreme Court nominee who would overturn them,” Schumer wrote.

This latest accession to Trump’s reactionary agenda should come as no surprise. Feigning powerlessness before the almighty Republicans has become the Democrats’ stock in trade. But with the midterm elections approaching, the only real reason the Democrats can have for refusing to exercise their unquestionable ability to postpone the confirmation vote is that they support Trump’s nomination, whoever he or she may be.

In 2016, the Republicans broke with precedent and refused to hold a confirmation vote on President Obama’s pick to replace the deceased Antonin Scalia in advance of that year’s national election. They ignored the Democrats’ hand-wringing and pleas for bipartisanship and enabled Trump, once elected, to elevate the reactionary Neil Gorsuch to the high court.

The Democrats’ empty talk of opposition alongside actual collusion in the installation of yet another arch reactionary reveals certain fundamental truths about the American political system and, in particular, the Democratic Party.

Washington Post columnist Dana Milbank wrote on June 29: “One wants to cry out: Hell no, you can’t! But Republicans can. They have the votes. Democrats can and should fight, but the GOP controls the schedule, sets the rules and already eliminated the procedures that gave the minority a say in Supreme Court confirmations.”

The column, headlined “An explosion is coming,” concluded with the warning: “The backlash is coming... It will explode, God willing, at the ballot box and not in the streets.”

The Democratic Party’s claims of helplessness in the face of all-powerful Republicans are absurd. Even when considered in terms of bourgeois electoral politics, the Republican Party is a minority party, and yet it controls all three branches of government. There are certain facts about which the Democrats do not speak:

- The supposedly insurmountable Republican power in the Senate is, in reality, hanging by a thread. Though Republicans hold a 51-49 majority, Republican John McCain’s health is failing and he is unavailable to vote.
- Trump lost the popular vote in the 2016 election by nearly 3 million votes.
- Democratic Senate candidates received 11 million more votes than Republicans in the 2016 Senate elections.
- Republicans won less than a majority—49 percent—of all votes cast in the 2016 House elections.

- The Democratic Party’s presidential candidate has won the popular vote in six of the last seven elections. In 2000, the Democrats capitulated in the face of clear evidence that the installation of George W. Bush, the loser in the popular vote, was the result of a stolen election. In 2016, Hillary Clinton made no demands on Trump after his popular vote defeat.

- Trump’s approval rating has fallen to 41 percent after the implementation of a “zero tolerance” border policy aimed at separating immigrant children from their parents and jailing them in cages.

Even when the Democrats have won substantial majorities, they have enacted right-wing policies that parallel those of the Republicans. After the election following the financial crash of 2008, the Democratic Party controlled the presidency and had overwhelming majorities in both houses of Congress. In power, the Democrats oversaw a massive transfer of wealth from the working class to the corporations. Because of the policies of the Obama administration and the Democratic Congress, millions of working class families saw their life savings wiped out.

During the 2009-2011 period, the Democratic Party expanded the bailout of the banks. It passed Obamacare, which jacked up premiums, cut Medicare spending and strengthened the grip of the insurance giants on the health care system. It expanded the war in Afghanistan, prepared for war in Libya and Syria and stepped up NSA surveillance of the American population.

Now in the minority, having alienated and outraged many of their former working class voters, the Democrats cynically claim that while they are determined to fight the right, they are restrained by their minority position.

This is a fraud. With a war chest of hundreds of millions of dollars and a network of powerful backers in the military and state apparatus, in the corporate media and on Wall Street, the Democrats clearly possess sufficient influence on the electoral process and the media narrative to delay a confirmation vote by a few weeks. Schumer and House Minority Leader Nancy Pelosi have the power to tell their whips, as Lincoln says to his lieutenants in Steven Spielberg’s 2012 film *Lincoln*, “You will procure me these votes!”

Is there any doubt that the Republicans would be able to “procure the votes” if the situation were reversed?

Even as a congressional minority, the Democrats are able to pursue their investigation into alleged Russian interference. By means of their collaboration with the FBI and the CIA, the Democrats have secured wiretaps and subpoenas as well as arrests and office searches of high-level Trump campaign officials aimed at backing the phony claim that Trump’s election was the product of Russian “meddling.”

The Democratic Party’s theatrics serve a purpose that is central to the functioning of the two-party system in America. It is part of the mechanism by which these parties conspire to suppress opposition while upholding the rule and imposing the policies of finance capital.

The Democratic Party does not want a left-wing Supreme Court. Its chief concern is to strengthen the institutions of the capitalist state in anticipation of the growth of the class struggle.

The Socialist Equality Party rejects all attempts to portray the Democratic Party as amenable to reform. Such claims fly in the face of history and the present situation.

The current reiteration of this policy is spearheaded by the Democratic Socialists of America, a faction of the Democratic Party that encourages workers and young people to believe that a party of finance capital can be remade into a party that will advance the interests of the working class.

The Socialist Equality Party is fighting for the direct opposite—to break workers free of the political straitjacket of the two-party system, opening the way to the development of a mass, independent movement of the working class for socialist revolution.



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