

RALPH NADER RADIO HOUR EP 244 TRANSCRIPT

Mark Green, Joel Rogers

Steve Skrovan: Welcome to the Ralph Nader Radio Hour. My name is Steve Skrovan along with my co-host David Feldman. As we record this, it is the morning after the midterms. How are you feeling David? A little hung over, or what?

David Feldman: Well I think we dodged a bullet. It could have been a lot worse, so I'm satisfied.

Steve Skrovan: All right. We also have the man of the hour, Ralph Nader. Hello Ralph.

Ralph Nader: Hello everybody. We're gonna have a great show today with people of great political incisiveness.

Steve Skrovan: Yes, all about these midterms. Though we don't know everything just yet, we do know that the Democrats managed to flip the House by at least 27 seats. That may grow as more returns come in. We also know that the Republicans held onto the Senate and actually increased their margin by a few seats. We also know that a record number of women were elected to Congress. Today we're gonna talk about the aftermath--what happened, why it happened, and what's gonna happen as a result. The question I'm most curious about is how these results influence the course of the Democratic Party. Here to help us analyse what happened is our old friend Mark Green, former Nader's Raider, Public Advocate of New York, and someone who knows all the inside baseball--the political process, as both a commentator and a participant. That will be in the first half of the show. In the second half of the show, we take you to Wisconsin, where we will welcome law professor and activist Joel Rogers, who will give us his view from that state, which just ousted the notorious two-term, anti-union Governor, Scott Walker. As always, we will take a minute to check in with our corporate-crime reporter Russell Mokhiber. If we have time left over, Ralph will answer more of your questions. But first, let's break down what happened on Tuesday. David?

David Feldman: Mark Green is a former Nader's Raider. He ran Public Citizen's Congress Watch for ten years. After that he went on to found his own public interest organization, the New Democracy Project. In addition, he was elected New York City's first Public Advocate. An author and a radio and TV commentator, Mark's latest book, which we have talked about previously on this show, is entitled, Bright, Infinite Future: A Generational Memoir on the Progressive Rise. His previous book is entitled, Losing Our Democracy, which Ralph Nader not only highly recommends, it is a book he often rereads. Welcome back to the Ralph Nader Radio Hour, Mark Green.

Mark Green: Thanks. I'm excited to do it on this day.

Ralph Nader: Welcome indeed Mark. Your book, *Losing Our Democracy*, which came out in 2006, could have been written today. How are we losing our democracy?

Mark Green: There's a natural progressive majority in this country, but it is not reflected in who's elected, or selected if you're talking about Donald Trump. There's obviously some disconnect in a democracy where our rulers are supposed to reflect the opinions of voters. We now have a situation where we have a president who didn't win a plurality of the vote. A couple of days ago, we had a House where Democrats won the majority of the vote, but didn't control the Congress because of voter suppression, gerrymandering, dark money. Ralph, actually you're the only person I've ever met who said to me, not that you read a book of mine, but that you reread a book of mine. I don't even reread my books.

Ralph Nader: Well, I recommend to everybody to get this book, *Losing Our Democracy*. It is not just an analysis of how we're losing our democracy, but in Mark Green's fashion over the years, he proposes reforms--many of them simple, many of them from places like Canada, Western Europe. Many of them don't cost anything, but they shift power from the few to the many and produce a productive democracy. So continue on this theme.

Mark Green: The thing that infuriates me--forget left, right, Democrat, Republican--you know, we have a capitalist system, which relies on people keeping their word when they enter into contracts. If contracts were constantly violated, we couldn't have a functioning, competitive economy. We have a democracy which is based on people's votes. We have a Republican Party that is systematically stealing votes from occasional voters--mostly younger people, millennials, elderly minorities, who may not have a driver's license or a voter ID. We saw the likelihood that the Secretary of State of Georgia, Mr. Kemp, is a couple of points ahead of Stacy Abrams, the Democratic nominee for Governor in Georgia, and he's running the election that he's in. "No man can be a judge in his own case," said common law. They were systematically erasing people from the polls, because they didn't have a hyphen between the middle and the last name. This is willful. It should be criminal. When you steal a vote of somebody in a democracy. Everyone talks about in 2016 Donald Trump won despite not having a plurality, maybe because of Putin or Wikileaks or Comey. If you take out the Republican voter suppression in key states, Hillary Clinton would be president. That alone shows how we're losing our democracy, and I look forward, for the first time in my lifetime, to a democracy agenda being a voting issue. It is an issue among the people on this radio show, among prime Democrats, but rarely in a general election, where war, peace, health and jobs are predominant. Well, I think because of all the Republican shenanigans on voter suppression and gerrymandering and dark money from the Koch Brothers someone's going to run for president on the democratic side, and be the nominee who's going to talk, not exclusively, but in a primary way about how crazy it is, the world's greatest democracy is not a democracy.

Ralph Nader: That's what President Carter has said. Jimmy Carter who monitors elections since he left office in many countries around the world - and he has several requirements before he goes to monitor them - he says, the US couldn't meet its own requirements. He said it this way, "US is no longer a democracy." And so what's holding back the Democratic Party from adopting major reforms, and major transformations of our society, that are majority supported: the minimum wage, full Medicare for All (up to 65, 70, 80%), breaking up the big banks that are too big to fail, cracking down on corporate crime, ending corporate subsidies (starting with stadiums and arenas in the sports world)--that have large liberal voter support? Why don't they tap into that?

Mark Green: Well some do. I don't know anyone who's talked more about minimum wage than you, Ralph. And Nancy Pelosi, after the House went Democratic, said one of the top two or three things, is an increase in the minimum wage, which as you know, 30 million people are sort of back to what, in real dollars, they were earning in the 1960's. The reason is that popular opinion is not reflected in public policy, is the circuit breaker of money; one party stealing votes, which doesn't let, until now, the Democrats change the policy. Democrats as we all know did reform, to an extent, the campaign finance system in 1974, because of the huge phenomenon of Watergate. That law has control, but it's been weakened by campaign spending ever since. Frankly, it turns on willfulness. Ralph, we both know Michael Waldman. He's a friend of both of ours, was Bill Clinton's chief speech writer. He tells a story in a book about how Clinton said, "I want campaign finance reform." In 1993, the then speaker Tom Foley said, "Very nice, very nice, but we have to do other things first, we'll get to it." And you know, a new President, not experienced nationally, said, "Okay." They never got back to it. If an Elizabeth Warren, or Bernie Sanders were elected President, and they said they want the reforms, that were very easy reforms--vote by mail. We'd get a 70% turnout, compared to the 40% of other states. Why do we vote on Tuesdays? Because a century ago, farmers went to the market and that was the best day. Well this is the 21st century. If they push a democracy agenda, and in fact pick a democracy czar in the White House - joke intended -- to remind the Democratic President every week, "Don't forget about fixing the car's engine, because if the engine is broken, the car can't go forward on any other issues."

Ralph Nader: Well, are you for universal voting as a civic duty? We have a Bill of Rights. The only duty in the constitution is inferred jury duty. Australia has universal voting. They don't spend much money begging people to come out to vote. If you're sick, you get an exemption. But they come in 96/97% turnout. The civil liberties issue can be handled by putting a binding none of the above on the ballot, and a visible write-in option so you can vote for the candidates or if you don't like them, you can vote against them--none of the above or you can vote for a candidate of your choice, write in. What do you think of that?

Mark Green: I want our listeners to know that forty years ago, when I worked as a young public-interest lawyer for Ralph, we would interview law school applicants to be Nader's Raiders. This was a question Ralph and I often asked, simply as a way of seeing if people could think on their feet. And so like you

Ralph, like Australia, like some Western European countries, I'm in favor of don't go with compulsory voting, because that offends America's freedom spirit. It could work, but I don't think that's going to happen in the next two to four years. I think a better next step is automatic voter registration - AVR. Eighteen states now have it. Basically, nationally, it would mean, hey you turn eighteen, or maybe you have to register for the draft; you're allowed to vote. And one thing that happens, since the computers have everyone's name and Social Security, is you're automatically entitled to vote unless you show that you've done something unlawful or you voted twice, which almost never happens. Right now, of course, the secretaries of state in Republican states are hunting for reasons, after Chief Justice Roberts overturned key parts of the Voting Rights Act, and inciting voter suppression. The presumption should be, you can vote; not that you can't vote unless you jump through hoops, as if it were a literacy test in the 1950's. So automatic voter registration; make Election Day a holiday, perhaps on a weekend, as in New York City. And a six-to-one match of public money to private campaign dollars and so we have far more people of color and working people in our legislature—the city council. Not at the mayoral level though, because Mike Bloomberg, under constitutional law for now, is able to spend his own money, but that could change when the court changes, the Supreme Court; it doesn't seem like it's gonna happen tomorrow.

Ralph Nader: How about adding this? Have you been intrigued by all this voter suppression, blocking people from one of the cardinal rights they have in a democratic society? Nobody gets prosecuted. Secretaries of state don't get prosecuted like Mr Kemp in Georgia. They don't get convicted of course. It's not considered a felony. You're more likely to face enforceable law with a minor traffic ordinance violation/a parking violation, than you are as a government official, obstructing your right to vote, or blocking your right to vote. Why isn't there an effort by the Democratic Party to make this an enforceable criminal violation that's prosecuted?

Mark Green: Well if any of the potential presidential democratic aspirants ask me, and I'm in touch with some of them, that should be part of their democracy agenda. Now, a procedural problem--for example, you presume the district attorneys follow the rule of law. Every so often you get one who's a racist, who hides evidence, convicts some minority defendant, but to prove that they have abused the process is very hard because it goes to intent, which is not a number. It is not like you can vote at 18. It is hard to discern intent. Well I think it should be a felony, if you can show, this is a hypothetical, if Kemp in Georgia is shown to have, okay, let's take voting machines and sites away from Atlanta, because that's a minority majority community, so I win the next governor's race. If you have memos saying something like that, he should be prosecuted. I'm sure there are memos saying that--if there were a Robert Mueller looking into it in the State of Georgia. But it is hard to implement, because it goes to intent, and it is easy to cover up if you're the party in power as Republicans have been in Georgia, as they've been in Congress. And so the more realistic reforms revolve around matching public money the day of the election, voting by mail, automatic voting registration when you turn 18, and states, like Governor Schwarzenegger in the day did, having nonpartisan panels draw in congressional lines so you avoid the gerrymandering, the salamander-type districts where elected officials pick their voters rather than voters pick their officials. California has done it. Other states have done it. It should be a national mandate.

Ralph Nader: You know western Europeans are stunned when we tell them that politicians in power carve the electoral districts. That would be a serious crime in Western European countries, because all nonpartisan civil servants do the demarcation of electoral districts, so that's how far we are behind. Let's move to what's gonna be in the news very shortly, Mark Green. We're talking with Mark Green, many times a candidate, sometimes a winner, author or co-author of over twenty-three books. He's been watching carefully the Trump administration. Robert Mueller is gonna make his move pretty soon, probably before the end of the year, and it's going to involve Trump--not just Trumpsters. He's already gotten some indictments and convictions of high-level Trump associates. Do you think our country is ready? Certainly as ready as Trump is for the constitutional crisis coming up? Trump's ready to go to crowds all over the country and mobilize them darkly intimating there will be violence in the streets, as he did during his campaign, if he wasn't nominated or elected. Instead he was selected by the Electoral College. He has the pardon power. He can flaunt all kinds of "sue me" threat dares. He can replace the Justice Department with people like Rudy Giuliani. Is our country ready for this constitutional crisis that's coming up?

Mark Green: I don't think so. I'm not a big fan of Richard Nixon, but he didn't have rallies inciting violence to people who own most of the guns. He didn't have a Fox News being in effect, you know, an extension of the Trump campaign. And so, when the crisis happened, there were some moderate Republicans who said, "Wait, there's evidence that you've committed a crime, obstruction of justice, pay-offs to the Watergate burglars--you're gone." Today, Trump would say, "How do you spell burglars? What do you mean? You're a crook." He'll take words, as a good demagogue can do, exaggerate the aberrational and presume it's common place. His voters don't care about facts, logic and law. This is not me being condescending. Ask them. A voter from Wyoming, a woman said, "I don't think he tells the truth, but I trust him." It is a pretty amazing quote. Another said, "I think Trump's crazy, but I like what he thinks." So you're dealing with people who are allowed to have a vote. They are 40% of the country, but not 60% of the country. And it's gonna turn on - you know there was an almost fair election, earlier week, and so the Democrats now control one chamber and can issue subpoenas to expose and stop much of Trump's corruption. The tie breaker Ralph, will be if Mueller can indict and issue a report, carefully documenting Trump's illegalities. If Mueller comes with a report in the next month and I'm sure Mueller has his tax returns, that Trump, and this is more likely than not, has committed extensive financial crimes money laundering Russian money in his hotels, in his businesses--those are crimes; obstruction is on the face of it; the Russian meeting in Trump Tower in June of 2016. This country is gonna have to face whether they believe in the rule of law, or the law of rule; whether they believe in our tradition of law, or they favor a dictator in waiting. It is gonna be up to Congress, and the Supreme Court to stand up to him. I wouldn't bet on the Supreme Court after Kavanaugh's confirmation, but that would be a test, because law is not what's on paper, it is what the people believe. Russia's constitution seems pretty democratic on paper, but it is not complied with, because people understand it with a wink and a nod. If that happens, then America's not America.

Ralph Nader: Do you think that the legal profession, 1.3 million lawyers, enlightened businesses who can see the economy tanking, if there is in effect a flouting fundamental law in this country by the

president of the United States, following the moves by Robert Mueller in the Justice Department? Do you think that the academic world--do you think they're up to it? I mean they're gonna have to respond as they did in the Nixon Watergate. One Senator from Tennessee during the Watergate crisis got 40,000 telegrams in two days, after Nixon fired three top officials in the Justice Department. Are we ready?

Mark Green: I think Republican politicians in Congress violated their oath of office, which includes oversight over the executive branch--checks and balances. They never held Trump accountable for his scandals, his illegalities, his cell phone use that's overheard, after he belly ached about Hilary's compromised server. Now the Democrats control a branch, but lawyers who don't have to fear re-election, they don't have to fear for their livelihood if Trump tweets against them, I do believe hundreds of lawyers will say, you've crossed the line. Ralph, you know, when lawyers did that in Turkey, Erdogan just laughed and ignored them. When a thousand lawyers objected to Kavanaugh because of his judicial opinions and his temperament, obviously the political process forced him through. I think lawyers will stand up. But the question is, will judges, the Supreme Court, do what the court under Nixon did, which is vote unanimously, (nothing at the time) that his tapes could be subpoenaed. If the Supreme Court votes, let's say, six-three against Trump, will Trump do what Nixon never did? Nixon never burned the tapes. Physically he could have; he controlled them. Trump, none of us could put past him his interest in doing whatever advances him and his family's wealth. That's a crisis we've never had in this country, other than the lawlessness of April 1861 over slavery.

Ralph Nader: You know it is interesting, just from our listener's point of view--what do they say to themselves as interested citizens here--that their role is to back up some members of Congress, regardless of party who are inclined to stand up to Trump and move constitutional processes from impeachment to conviction in the Senate? Right now, the Democrats don't want to talk about impeachment, but if all constitutional hell breaks loose, and you have Trump violating all kinds of federal laws and constitutional provisions, and doing it in the self-interest, not just his political interest, but his wealth interest and his family interests and his connections with rich people overseas. What do you say to our listeners?

Mark Green: Well we have a problem in this country. Allow me—I'm a Democrat obviously— one party profits politically and prospers from racism, lying, and nativism. And if you say to them, hey, your guy has lied 6500 times in two years, according to independent fact finders, they go, "Well, there was a day that Bill Clinton once didn't tell the truth." Well, it is a "both-sides-ism" so they can look in the mirror and look at their children, and explain. But they know in their stomach, they just care about the next election and not the United States Constitution. And so I have no confidence that a Mitch McConnell or the next Republican leader of the House will suddenly grow a conscience. It is up to voters in 2020, courts at all levels, to do what we've done for 230 years, or our democratic experiment could end and look at what's happening in Brazil, Turkey, the Philippines, Hungary, Poland, Italy. All have paper democracies, but are being run by authoritarians whose playbook from Lenin, to Hitler, to Duterte, is be the strong man, pose that you're on the side of working people, while you transfer trillions of dollars to your wealthy donors. That's not democracy.

Ralph Nader: The ultimate nightmare is the people electing dictatorial regimes, who then oppress them and that's what's been happening in some of these countries. They can say, oh, the people elected him or her, what are you complaining about? David, Steve, you want to jump in here? Any comments or questions?

David Feldman: Yes, yes, yes. You guys were around for the Powell memo. Can you look back and say the right was smart enough to say, let's make the American People so craven, so stupid, they'll keep us in power? Was there a conscious decision to dumb down the American people?

Mark Green: The Powell memo, not Colin Powell, but Lewis Powell, very prominent southern lawyer who Nixon put on the Supreme Court. Before the court, he wrote a memo to his clients and the Chamber of Commerce, which laid out how to fight Ralph Nader. That's not apocryphal. That's true; that was in the memo. They laid out how to spend money on think tanks and elections, and slowly over time, big donor interests followed this rule book, and then eventually it led to Raegan, Newt Gingrich and now Donald Trump. They have led to one of the great parties in our country, being a place of immorality, amorality, lawlessness and untruths.

David Feldman: But were they prescient enough to know that the only way they could keep their power was by making the American people immoral and stupid? How brilliant is that?

Mark Green: You're asking the wrong guy, meaning, I don't know what they knew. Look, I have to admit to naiveté. If you would have asked me three years ago, would Donald Trump be president, I would have said no. I've been wrong with a lot of people. But if you even said to me, what percentage the American public, harbour racial resentment, and would believe a demagogue every day, and want to keep immigrants out even though they're immigrants, I would have said, 25%, which is a number throughout Western Europe--you know cultures comparable to ours. I was wrong. It turns out it is 40% and the difference means that a president has been selected, and until this week, we had a Republican Senate and House. And so, did Lewis Powell and his flock know the American people better than I did or any of us did, three years ago? Maybe. Am I in a coastal bubble where I don't meet people who didn't go to college and are not fair-minded? Yeah, maybe you could say that of me, but you don't give up, and eventually if we don't believe Benjamin Franklin, that in the long term, if truth and error have their day, truth will always win out. If you don't believe that, then you can't have a democracy. No one is smart enough to be a pessimist. Norman Cousins once wrote. My wife laughs at me, that I'm a cock-eyed optimist. I don't really know the alternative.

Steve Skrovan: Mark, the Democrats, as the commentators tell you, ran a lot on health care. But centrist Democrats will tell you, they were running on the fear of taking away the provision for pre-

existing conditions, that they weren't running on Medicare for All, and that Medicare for All is not a winning issue for Democrats, what do you think about that?

Mark Green: Well Medicare for All polls very high. You know, greater access to health care from Teddy Roosevelt to Linden Johnson, were no doubt popular, but interest groups of the day, the American Medical Association especially, scared the hell out of people--socialized medicine, premiums will go up, and nothing happened. Then President Johnson won an overwhelming victory in 1964--the master legislator--and got enacted Medicare and Medicaid. Well, Medicare for All is a great phrase, because people like Medicare, because it is universal at a certain age. And, if everybody has access to health care, that sounds pretty good. The Koch Brothers did a study showing how much it would cost people yet the study showed how much it would save people. So I think single payer is a bad term because what does that mean? It sounds like you go to a bank. And so we have to be respectful of language here. Let me say to listeners, as Ralph knows so well, @RalphNader is his Twitter handle on radio and in his books says things no one else does. Well, I created a shadow cabinet and it's @shadowingtrump and its leading experts agency by agency so like Laurence Tribe is our attorney general, David Cay Johnson, Pulitzer Prize winner, is our tax expert; Robert Reich, our economist. So if you go to @shadowingtrump, it is the Twitter equivalent of the Ralph Nader Radio Hour.

Steve Skrovan: But do you think that there's gonna be a battle in the Democratic Party about whether to run on Medicare for All, or just try to rebuild the Affordable Care Act?

Mark Green: Well it depends on who the nominee is. That is, the Democratic nominee will, in effect, control how the party/what the party's program is--not the platform committee, not an individual Senator. And right now, if you ask the leading progressives, let's say Sanders and Warren, they would say you try both at the same time. Both are popular. Pre-existing conditions is now a term that has broken through, and it's so popular, we also have the Republicans who voted to repeal Obama Care, now say, oh no, we were always for covering the pre-existing conditions. Medicare for All is a little newer. It depends on public education.

Steve Skrovan: But Mark, if you were running, would you run on that, Medicare for All?

Mark Green: Yes, sure. I think it is popular; it's fiscally responsible, and finally, the country is now divided, not so much left/right; that's sort of more 50's thinking although there are people more liberal and conservative and the reverse. Now it's up/down; whose side are you on--the 1% or 99%, and it's urban/rural, like it or not. And the urban areas are overwhelmingly more professional, wealthy and liberal. And the rural areas are people who don't see the American dream. They're losing jobs, real income is going down, their health care--they're dying. Life expectancy of white rural men has gone down in the last five years, because of the opioid crisis. And so, yeah, I would run on affordable health care for all, like it works for Medicare. If the Democratic nominee embraces that and announces it and

wins on it, and then has a Democratic Senate and House along, we'll get it if you can count that on the reconciliation as a tax measure, without getting too detailed.

Steve Skrovan: I'm sorry, but it seems like the first people you have to convince of all of this is the corporate wing of the Democratic Party.

Mark Green: Well the primaries will determine. The polls are on the side of what you're suggesting I am.

Ralph Nader: One last question Mark, but when you ran against Mr. Bloomberg for mayor of New York City, you have a funny story to tell, over a month from the election, an adviser came to you with the findings. He said, the good news is you're 17 points ahead of Michael Bloomberg. The bad news is you're losing one point a day, because of all the money Michael Bloomberg is spending on television in New York City. What's your view of Michael Bloomberg's future prospects? Do you think he's gonna run for the democratic nomination in 2020 for president?

Mark Green: I would have given you a different answer two weeks ago, which is he always flirts with being president. Obviously, the guy has a rather big ego. Most people would if you're that wealthy and that successful. But as you know Ralph, and you've spoken to Bloomberg about this when he was toying with it in other cycles, he said, independents don't win. An independent hasn't won a presidency since 1860. Well, he now reregistered as a Democrat, has given \$110 million to the Democrats to win the House, which even for him is real money. He spent \$5 million on a very highly produced ad--let's unify the country, unlike Trump--that aired on 60 Minutes, so 20 million people saw it. You add all that together Ralph, I think he's gone up from a one in four, to a two in four chance of running. But he's a long shot, because while money is good, message beats it among prime Democrats and the Democrats who run against him, will have millions to advertise, even if he has billions. His views of stop and frisk, social security and taxes, are anathema to the Democratic base. And so his money can be pretty effective in a general election, trust me. But I don't see him winning Democratic primaries.

Ralph Nader: And he's only gonna run in the Democratic Party. He's not gonna run as an Independent.

Mark Green: Correct.

Ralph Nader: Well thank you very much Mark Green, author of a wonderful memoir, Bright Infinite Future, author of the signally relevant book, Losing Our Democracy. To be continued.

Mark Green: Thank you so much Ralph. Enjoy.

Steve Skrovan: We have been speaking to Mark Green, author of *Losing Our Democracy*, and *Bright Infinite Future: A Generational Memoir on the Progressive Rise*. We will link to his work at ralphnaderadiohour.com. Now we're gonna take a short break and get the latest news from Russell Mokhiber on the real crime wave sweeping the country, the corporate one. You're listening to the Ralph Nader Radio Hour, don't go away.

Russell Mokhiber: From the National Press Building in Washington DC, this is your Corporate Crime Report "Morning Minute" for Friday, November 9, 2018. I'm Russell Mokhiber. The Securities and Exchange Commission (SEC) and the Justice Department are investigating General Electric's power business. That's according to a disclosure made by General Electric, to the SEC last week. General Electric said the SEC is investigating the company's \$22 billion write-down of its power division. The news comes just weeks after General Electric tossed CEO John Flannery, and replaced him with Larry Culp. In 2009, General Electric paid \$50 million to settle Securities and Exchange Commission charges that the company used "overly aggressive accounting" to make false and misleading statements to investors. 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. Ralph, now we go to Madison, Wisconsin, to get the view of the midterms from there. David?

David Feldman: Joel Rogers is a professor of law, political science, public affairs and sociology at the University of Wisconsin, Madison. Professor Rogers has written widely on American politics and democratic theory, and has worked with and advised many politicians and social movement leaders. He is a contributing editor of *The Nation* and *Boston Review*, and a McArthur Foundation Genius Fellow. He was identified by *Newsweek*, as one of the 100 living Americans most likely to shape US politics and culture in the 21st Century. Welcome to the Ralph Nader Radio Hour, Joel Rogers.

Joel Rogers: Great to be here.

Ralph Nader: Joel, as you know, you've been called a public intellectual, but you're a lot more than that. You're a doer, you're a strategist, you've worked with citizen groups at all levels of government, local state, federal. You've advised labor unions. You've proposed all kind of plans, strategies, agendas. So with that background, give us your take on the Congressional elections from voter turn up to where you think the Democrats and Republicans are ending up?

Joel Rogers: Well, I was pleased at the increase in turn out. I was naturally distressed by the antics of Kemp and many other people to suppress the vote. I was pleased at the re-endorsement all over the place of minimum wage and other sort of broadly populous demands. I was particularly pleased by the Florida repeal of its ridiculously punitive law, restricting the suffrage of formerly convicted people who had served their time and done their probation and everything. Now it is a divided government, that's great. I'm delighted that Nadler and other people have the subpoena power now. They will finally see the famous tax returns, and see this guy for the utter fraud that he is. I don't think it is gonna make a huge amount of difference in terms of legislation going forward. I hope the Democrats are sensible enough to stay clear of trying to impeach the guy, but instead, stick to their guns, try to do some serious anti-corruption bills, some serious infrastructure bill. If it is serious, it will be voted down by the Senate, and Trump will veto it and that will be it. He won't need to veto it, because it won't get through the Congress. But the next couple of years, would give the Democrats an opportunity to do what Sanders, Warren and you, and a variety of other political leaders inside and outside the Democratic Party, repeatedly urge them to do, which show concrete stuff that they can do to help people, and re-empower the democracy.

Ralph Nader: What would you anticipate in terms of how tough the Democrats are going to be in the House under probably Nancy Pelosi, vis-à-vis, the administration toughening oversight, subpoenas, putting forth progressive legislation, getting it through the House even though they know it's gonna be blocked in the Senate, to set the stage for 2020. What are the five or six major initiatives you think the Democrats should take?

Joel Rogers: They should go directly at the corruption of the democracy itself--starting with voting rights, through campaign finance, the whole corrupt system of re-apportionment, repealing the Electoral College, and a variety of other things. They should fix the democracy, or try to fix the democracy, or have a plan for how to fix the democracy. On the economy, you can start with the infrastructure, an obscure term that puts people to sleep all the time, but basically refers to the variety of public goods, both physical and social, that we need for a flourishing society. I hope that if they limit themselves to the physical infrastructure in transportation, electricity, and a whole-energy network system, that they do so in a relatively green way, attentive to the fact that we're in the process of cheerfully destroying the biosphere on which we all depend. I hope they have the gumption to put some serious standards, not just buy American, but also wage standards on the compensation of the people doing the work. As to how strong they'll be, you know this territory better than I, but the Democratic Party, especially with moderate Dems that recently re-entered the scene, it's not exactly been disciplined paladin of the proletariat that we all hoped it would be. But I have a fair amount of respect for Pelosi's discipline, her ability to herd cats. So, I'm cautiously hopeful you have decent anti-corruption thing, a decent infrastructure thing done. Then they can also lockdown some revised version of the ACA as a permanent achievement, really the only permanent achievement of the Obama administration in terms of helping to complete a little bit, the American welfare state. What I'd like them to do, but have no expectation in doing--let me just ramble on here--is to do something serious about intergovernmental relations. My impression is that when the Democrats, like Republicans get to Washington, they think only of Washington. I'd very much like to see Steny Hoyer's suggestion of

reintroducing earmarks. I like that idea. I'd mostly like to see a progressive federalism articulated by somebody of the sort that you and I have talked about many times--higher federal floors, but then no ceilings at all on state innovation and municipal innovation, consistent with the purposes of those floors. That's what I think we really need to provide democracy--to make local government more interesting and more impactful for people.

Ralph Nader: You know they have HR676 pending in the House for years. That's the single payer--the gold standard. A hundred and thirty Democrats last year signed up for it and this year. Now the Democrats will control the House. They'll have probably a margin of ten to eleven seats. Two questions: 1) To what extent are they gonna go forward with single payer, which increasingly has a majoritarian support, including conservatives who would like to have health care like anyone else. 2) To what extent do you think the Democrats will deal with a transaction tax on Wall Street, which is long overdue public banking, which is widely supported when people understand it. What about those kinds of frontiers?

Joel Rogers: Well it would be great if they did. Are you asking, what's my calculation on the likelihood that they'll lead with those things?

Ralph Nader: Yes.

Joel Rogers: I don't know about the financial transaction clause. I haven't counted votes or looked at particular people within the Democratic Party, recently on that. Single-payer has been there more or less forever. Medicare for All maybe is a better way of messaging the thing. You got a hundred and thirty Democrats so that's less than just over a majority of Democrats. Republicans are, of course, completely opposed to it. I don't see it really taking off in this Democratic Congress. It would not be the first time, as you repeatedly pointed out, that the Democratic Congress is certainly not enacting the thing that the people would like it to enact nor taking the trouble to explain those things in the simple, accessible terms that are generally needed to separate the signal from all the noise of distortion and other things we have in our system.

Ralph Nader: Before we get to the loss of Scott Walker in your home state of Wisconsin, the Democrats ...

Joel Rogers: Nice thing. Pretty cool.

Ralph Nader: Yeah. The Democrats basically have been giving the Republicans a huge advantage because they don't have really a national immigration policy. They don't have a national tax policy. We're talking about the national Democrats. They certainly don't have a national labor policy. They talk

the right words on a national public works, or public goods policy, but they're not willing to fight the tax and the public budgets battles with the Republicans to shift money from the bloated military budget, and the corporate welfare budget, to rebuilding communities all over the country with good-paying jobs that can't be exported. They certainly don't have an alternative military and foreign policy. They're on the same page, pretty much, with the Republicans on empire. Who's gonna take the lead, besides people you've been working with, at least to put some of these alternative models on the frontiers of public visibility?

Joel Rogers: Well, I thought that the legislation that Bernie Sanders and Elizabeth Warren have offered, has at least done some of the bills that could begin to frame some of at least the domestic discussions. I agree with you by the way, and we should come back to it if we have any time, on the incredible moral bankruptcy of the Democrats and all the empire stuff. But it's one thing to have a bill out there that you can aim at and as you said, the single-payer thing has been out there for some time now. It is another to get attention from the media, which is largely silent on anything of substantive interest, and so I don't see it ever coming from, in the end, from anything other than mobilizations from the ground up, connecting lots of different people, swelling, swelling, swelling, and eventually breaking through into the general public consciousness. I think that this is why the local actually matters, because there are people in your neighborhood you can talk to, and they can talk to other people and you can move up. All I'm saying in the progressive federalism stuff, is it would be nice to at least let organized localities, be able to show the benefits locally, of that self-organization. But, you know, I'm a democracy guy Ralph. It is just gonna be self-organization of people, treating each other with equal respect, learning what's going on, talking their values, insisting that here the people rule, or should rule, and do not at present.

Ralph Nader: Well, here's an interesting observation, let's lower our expectations and say, will the Democrats hold tough public hearings on all these substantive redirections and transformations for our nation that are long overdue, and have majoritarian support we've talked about endlessly on this radio hour. Will they have public hearings so that they educate the press, educate the public, and raise expectations? Will they put in the hopper HR XYZ so people can mobilize around an existing piece of legislation, that's in the House Ways and Means Committee, the House Judiciary Committee, the House Armed Services Committee? Will they throw the Trumpsters on the defensive with rigorous oversight, and subpoenas and disclosing Trump's tax return? Can't we expect them to do at least that?

Joel Rogers: Well no, I don't think we can't expect them to do even that without some pressure. But I think that is an excellent suggestion--a very constructive pressure. Constructive because it does not presume they have more power than in fact they do. But the Democrats could, in addition to broadly framing their own agenda, they could use their powers and public hearings and publicity of those public hearings to actually help frame the considerations that should go into framing the general public agenda. I totally agree with that suggestion.

Ralph Nader: Joel, people should know, our listeners should know that Joel Rogers has drafted a lot of legislation. And with all this legislation--to change our political economy from election reform, to labor rights, to consumer protection, to cracking down on corporate crime--he led the fight against ALEC the Koch brothers' terrible lobby at the state legislative level--what about you sending a lot of these drafted bills and we can get them introduced in Congress after they clear the drafts people in the House, and we can put them in. And, if the chair of the committees don't want to put them in, like they have refused for years to do so, other than HR 676, we'll get several members of the Congress who are progressive, who will put them in. Every time I go up to the House, I say, why aren't you making a higher minimum wage a big, issue--30 million workers adjusted for inflation since 1968, are making less than workers made in 1968, and have higher expenses. They say it's all because Paul Ryan or Speaker Boehner won't let us get to first base. But you lay the groundwork. You make it an election issue. Would you send a lot of these statutes, especially with your colleagues so that we can work them and get them installed, and start getting the press talking about it, and getting citizen groups back home to have something to organize around?

Joel Rogers: Well yeah. I don't want to exaggerate how much stuff I have, especially the federal level. But of course I will give you anything I have. And I want to emphasize here, and I hope your listeners hear this, is the idea of at least getting Democrats to do a series of hearings in major areas of manifest public concern--the cost of empire, the threats of global warming and other disruption of the biosphere that we're doing, the need for investment in all kinds of public goods, physical infrastructure, but also education and health-care services--a variety of other things.

Ralph Nader: Corporate crime.

Joel Rogers: Corporate crime and the deformation of our democracy that's going on over the last 50 years, from the corporate crimes to everything else that we know about. The big idea I think you have here, which I really want to endorse, I want your listeners to hear is that that is a minimal constructive thing the Democrats could do, which would be very constructive by informing the public, and then helping the public shape its attitudes, opinions, etc., going into the 2020 election.

Ralph Nader: Let's go to Scott Walker in Wisconsin, your home state. What's your read on that?

Joel Rogers: Well, it just is great to, as I told Tony (Evers) and Mandela (Barnes), Sarah Godlewski, and Josh Kaul, all of whom won last night, which was just great to wake up with a little bit more hope in the State. It was a terrific, very hard-fought victory. No one in particular should claim credit for it, but Maggie Gau did a great job with the campaign. She was later joined by Amanda Breen who'd run Tony's DPI (Department of Public Instruction) campaign earlier. This gets more into the weeds than you need. But basically the students came out. Black Milwaukee showed up. The union leaders were very good. Lacrosse and Stevens Point showed up as well as Madison and Milwaukee. It was a great thing. In the

end, it was 30,000 votes, which may seem trivial at the national level, but not so trivial at the Wisconsin level.

Ralph Nader: Well Governor Scott Walker and his venomous attack on labor and consumer, and people rights generally, is now gonna ...

Joel Rogers: And the environment, Ralph, don't forget.

Ralph Nader: And the environment, and fooling around with election procedures and stifling decent in the legislature. He is now gonna be thrown out of office. But isn't it true that the Republicans still have a hold on the legislature?

Joel Rogers: They do, but they don't have a hold of two-thirds in either legislature, as far as I know.

Ralph Nader: Any questions from Steve Skrovan or David? Do you have any questions before Joel Rogers has to go for a meeting?

Steve Skrovan: Yes, I want to know, just basically, what lessons this gives the Democratic Party. Because if you listen to the New York Times, they kind of concluded that moderate centrist Democrats, won, and therefore that indicates the direction of the Democratic Party. What do you think this says for the Democratic Party in terms of strategy?

Joel Rogers: Well that could have been an opinion from the New York Times ten years ago, twenty years ago, 30 years ago, 40 years ago, 50 years ago, etc. They always say that. I felt what O'Rourke did in Texas was truly remarkable--to make a Senate race in Texas genuinely competitive as O'Rourke did. The Florida stuff is of course very disappointing. I don't know what the final disposition is in Georgia, maybe you guys do. But I would not read this as, oh, I'm sorry, it just shows that Democrats have a populous democratic, values-based, clearly communicated message. They cannot win in America, because America has forsaken anything except the worship of almighty mammon. I just think that's wrong. In terms of the future of the Democratic Party, I'm certainly not a steward of the future of the Democratic Party. I'm not the person whispering in Pelosi's or Steny Hoyer's ear. I think I would not over react to the relatively narrow defeat of either O'Rourke or Stacy Abrams, certainly as saying that there is no credible, successful, populous, Democratic message that cannot win at all. I would not say that at all. The basic problem is that, and you saw this with O'Rourke actually, and with Abrams, is people are not talking enough about core values. It is still too much about particular policy things. This place was dedicated to a proposition and it was unique and it may imagine its uniqueness in history. But at the time at least it was unique in not being a place of blood or soil, but of principled commitment to

the idea that we're all created equal, and we're all entitled to life and liberty and the pursuit of happiness and we're gonna do that through this thing called democracy, which we sort of invented in its modern representative form and we think it's a good way to handle our affairs and people are not talking enough about that.

Ralph Nader: Joel, just before you leave, just look at this scene here; some very progressive Democrats were elected to the House of Representatives. The wavering Democrats like Senator Heitkamp and Senator McCaskill lost. And Senator McCaskill went around the State of Missouri saying, I'm not like those crazy Democrats, and she lost. I want to leave you with a statement by a near billionaire, Nick Hanauer in Seattle who writes for Politico, and who said recently, if the Democratic Party does not move markedly to the left, they will not move to where the center is, which is his way of saying, all kinds of progressive policies putting people before giant corporations--all kinds of progressive policies now are increasing support, majoritarian support. His statement was, "They better move to the left because that's where the center is; that's where they put it."

Joel Rogers: Yeah. What do I think of that? I think that's basically right. I mean people do not believe in trickle-down economics. This is the other thing that Hanauer has been saying for years. They believe in, he calls it, middle-out economics. I think it's simpler because you're measuring fat. You know, middle class is getting fatter and fatter around the waist. I sort of prefer bottom-up, and middle-out economics. But certainly not trickle-down. No one really believes that their advantaged by giving corporations more tax breaks. Everybody wants their kid to have a quality education. Everybody knows how important education is. Everybody wants to have high-speed internet connections, not just for the famous overconsumption of porn, but because their kids need it, the health services need it, etc. That's a public necessity. If you simply had Democrats say, we are going to have a modern communications and energy system, and we're gonna make another run at getting corruption out of government. Partly, we're talking about the cardinal sins, or the "four uglies," or whatever you want to call it--essential traits of human nature. You have to watch these things all the time especially when they're leveraged rapacious commercial instincts with greed dressed up in different corporate suit type thing. But yeah, I agree with Hanauer. I think the middle, much-misunderstood rural Americans want exactly what most Americans want--a future worth fighting for. They want a future that they can think about without feeling sad. And the corporate elites are just destroying that possibility, not just in this country, but around the world and they're fed up with that as well.

Ralph Nader: Listeners, let's rev it up. You heard it from Joel Rogers. Look him up on Google. Read his writings. Absorb his wisdom and his ever-present optimism even though he's a realist. Thank you very much Joel Rogers from the University of Wisconsin.

Joel Rogers: My pleasure Ralph. All right, bye, bye.

Ralph Nader: Bye.

Steve Skrovan: We've been speaking to law professor and activist Joel Rogers. We will link to his extensive work at ralphnaderradiohour.com. I want to thank our guests again today, Mark Green and Joel Rogers. 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. And Ralph has two new books out--the fable, HOW THE RATS REFORMED THE CONGRESS--to acquire a copy of that, go to ratsreformcongress.org. Also, TO THE RAMPARTS: how Bush and Obama paved the way for the Trump Presidency, and why is isn't too late to reverse course. We will link to that also.

David Feldman: Join us next week when we talk about the intersection of music and politics with the founder of Appleseed Records, Jim Musselman. Thank you Ralph.

Ralph Nader: Thank you David. Thank you Steve. Thank you Jimmy, and if you want a manual on how to take control of your Congress--two senators and representative at a time--go to ratsreformedcongress.org. You'll laugh yourself seriously.