

The Delray Democrat

Dear Mitch*

Michael K. Cantwell

Okay, you win, but what about your legacy? Unlike George W. Bush, who said, “I don’t care, I’ll be dead,” I suspect that you do care what history will say once you’ve shuffled off this mortal coil.

In an interview just before the 2010 midterms, you said that you’d been studying how presidents who suffered big defeats in their first midterms fared in their reelections. Somewhat maladroitly you admitted, “The single most important thing we want to achieve is for President Obama to be a one-term president.”

You said you didn’t want to repeat the mistake that Newt Gingrich made by underestimating Clinton and overestimating himself. Newt is an example of “a stupid man’s idea of what a smart man sounds like,” but no one would dispute your intelligence or your parliamentary prowess and leadership skills. Obama’s reelection may be your only significant loss since that interview.

Who but you could have engineered the brazen theft of two Supreme Court seats, based on the flimsiest of arguments? First you claimed that presidents in the final year of their term should be denied the right to appoint a justice to the Supreme Court even though neither the Constitution nor history justified such a Congressional putsch. Since 1900, seven Supreme Court justices were seated during the last year of a presidential term, and no nominee was denied a hearing.

But you won because principle and precedence bow to power. The corporate media soon returned to their fascination with Trump, who rode their free advertising straight to the White House. They were surprised and embarrassed, but you were neither. You knew that making that Supreme Court seat a subject of the election was a way to whip the base into a frenzy, and you have never been embarrassed by winning.

One would have thought you’d be hoist by your own petard when another Supreme Court vacancy emerged only weeks before the recent election that sent Trump packing. But no, employing logic even more tortured than that supporting your refusal to give Garland a hearing, you offered the corollary that it is different when the White House and Senate are held by different parties. Not so, Mitch. In Ronald Reagan’s last year, a Democratic Senate confirmed his nomination of Anthony Kennedy by a 97-0 vote.

And those seats weren’t even your biggest win. You also shut down appointments to the lower federal courts during the final two years of Obama’s term. This allowed Trump to appoint almost twice as many circuit court judges in four years as Obama appointed in eight. Since the Supreme Court hears only a small number of cases, packing the federal circuits will enable rightwing judicial activists to overturn democratically enacted policies for decades to come.

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And that leads back to the question of your legacy. Joe Biden will be inaugurated as America is being battered by the worst public health crisis in over a century and the greatest economic collapse in over 80 years.

Biden says that he knows to reach across the aisle, but you have been silent, just as you have been silent about Trump's preposterous and democracy-destabilizing claim that he won the election. It is time for you to put country over party, lives over politics. It is time for you to listen to the American people.

A recent New York Times poll found overwhelming support for an active government role in addressing the crises facing our country: 72% of respondents support a \$2 trillion stimulus package, 67% support a government-run health insurance plan, and 66% support a \$2 trillion plan to increase the use of renewable energy and build energy-efficient infrastructure.

Will you lecture Biden on a deficit that you ignored for the last 4 years while America bleeds? Will your greatest priority be to make Biden a one-term president or will you recognize that your principal duty is to Promote the General Welfare? The future will be watching, and history is written by the winners. While "the arc of the moral universe is long . . . it bends toward justice."