



Senate Minority Leader Mitch McConnell assured reporters that concerns about Black voting were misplaced because:

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Last January New York Attorney General Letitia James announced that her office has “uncovered significant evidence indicating that the Trump Organization used fraudulent and misleading asset valuations on multiple properties to obtain economic benefits, including loans, insurance coverage, and tax deductions for years” and is taking legal action “to force Donald Trump, Donald Trump, Jr., and Ivanka Trump to comply with our investigation.” She concluded: **“No one is above the law.”**

James is overseeing a civil case against the Trump organization and is cooperating with a criminal case overseen by the Manhattan district attorney, Alvin Bragg, who recently took over from Cyrus Vance, Jr. When Eric Trump testified in the investigation overseen by James, in 2020, he invoked his Fifth Amendment right against self-incrimination in response to more than 500 questions.

Maggie Haberman of the New York Times reported that the news of James’s insistence that he and his family testify has pushed former president Trump to decide to run for president in 2024. CNN’s Jim Sciutto pointed out Trump seems to think that so long as he is running for office, he can persuade people that investigations are all political. In addition, since the Department of Justice decided internally in 1973 that sitting presidents cannot be prosecuted, it is reasonable to assume he thinks that the White House would protect him from ongoing civil or criminal lawsuits.

Those lawsuits might well include some related to the events of January 6. The House Select Committee to Investigate the January 6th Attack on the U.S. Capitol issued subpoenas to Nicholas J. Fuentes and Patrick Casey. The two men are leaders of the “America First” or “Groyper” movement, extremist white nationalists trying to inject their views into mainstream politics through trolling and provocation. Both spread lies about election fraud and were at the January 6 insurrection.

The committee’s letter to Fuentes notes that he urged his followers to **“storm every state capitol until January 20, 2021, until President Trump is inaugurated for four more years,”** and told supporters to show up at the homes of politicians to push their views. Fuentes received more than \$250,000 in Bitcoin from a French computer programmer; Casey received \$25,000 from the same donor. The FBI is interested in those donations.

The Supreme Court denied Trump’s request to block the National Archives and Records Administration from sending documents from the Trump administration concerning the January 6 insurrection to the January 6 committee. The vote was 8 to 1. Justice Clarence Thomas, whose wife, Ginni, supported the January 6 rallies, was the dissenting vote.

The Big Lie from the former president that he had won the 2020 election and been cheated of victory led to the January 6 insurrection; it has now led to a crisis in voting rights, as Republican-dominated state legislatures have rewritten their laws since the 2020 election to suppress Democratic votes and hand election counting over to partisan Republicans.

That, in turn, led the Democrats to try to establish a fair baseline for voting rights in the United States by passing the Freedom to Vote: John R. Lewis Act. The new bill would end partisan gerrymandering, stop dark money in elections, establish early and mail-in voting systems, provide for online registration, and make sure votes are counted fairly. It would modernize and limit the protections for minority voting that Congress first established in 1965 and the Senate renewed unanimously as recently as 2006.

The bill became a lightning rod, as it illustrated the gulf today between Democrats, who want to use the federal government to regulate business, protect civil rights, provide a basic social safety net, and promote infrastructure, and Republicans, who want to stop those things and throw the weight of governance back to the states. If Republican-dominated state legislatures are permitted to keep the laws they have passed limiting voting, they will continue to pass discriminatory laws, including ones that limit women’s constitutional rights, stop the teaching of any material that legislators see as “divisive,” and so on.

The voting rights bill was before the Senate, which is evenly divided between 50 Republicans and 48 Democrats and 2 Independents who caucus with the Democrats. While the numbers of senators on each side are equal, the numbers of constituents are not: the Democrats and Independents represent 40.5 million more people in our nation of about 332 million than the Republicans do.

But the changing Senate rules have permitted Republicans to stop any legislation they dislike with a mechanism called the filibuster, which means that it takes 60 votes to bring any measure to a vote. This essentially requires a supermajority for any legislation to pass the Senate. But there is a loophole: financial bills and judicial appointments—the two things Republicans care about—have been exempted from the filibuster. That leaves Democrats fighting to find ways around Republican obstructionism to pass the measures they care about.

The debate marked the showdown between these two visions. It was instructive first because it was an actual Senate debate, which we haven’t seen for years now as

“To me, pragmatic optimism isn’t pollyannaisim.

It’s a commitment to solving problems because we don’t have the luxury of inaction, either from despair or from the naive hope that someone else will save us.

It’s stubbornness, with your eyes wide open.

Forget climate hawks and doves. I’m a climate musk ox.

Musk ox are matriarchal. They tough out the worst of the Arctic winter through sheer will.

When one of their herd is vulnerable, the strong circle up and protect the weak, facing outwards like a circular phalanx of badassery.

Musk ox are tough, resilient, ice age survivors. Be like the musk ox.”

Dr. Jacquelyn Gill

Associate Professor of Paleoecology & Plant Ecology, University of Maine



Republicans have simply dialed in filibusters. When debate began this morning, while few Republicans showed up, most Democrats were present.

It was instructive also because Democrats defended the right to vote in a democracy, while Republicans insisted that the Democrats were trying to get a leg up over the Republicans by grabbing power in the states (although the federal government protected voting rights in the states until 2013). Passionate speeches by Georgia Senators Raphael Warnock and Jon Ossoff, Angus King of Maine, Amy Klobuchar of Minnesota, Chris Murphy of Connecticut, and all their Democratic colleagues, sought to bring Republicans around to defending the right to vote.

It didn’t work. Senate Republicans used the filibuster to block the Freedom to Vote: John R. Lewis Act from advancing to a final passage by a vote of 49 to 51, with all Democrats except Senate Majority Leader Chuck Schumer (D-NY) voting yes (he voted no for procedural reasons). But when Schumer brought up a vote to change the filibuster to a talking filibuster for this bill, meaning that Republicans would actually have to debate it rather than just saying no to it, Democrats Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) joined the Republicans to kill the measure. In addition to stopping this law, they badly undercut Biden and the Democrats who have wasted months negotiating with them.

Voting rights journalist Ari Berman noted that the 48 senators who voted to reform the filibuster represent 182 million Americans, 55% of the United States population, while those 52 senators who upheld the filibuster represent 148 million Americans, 45% of the country.

After the vote, Republicans lined up on the Senate floor to shake Sinema’s hand, and Senate Minority Leader Mitch McConnell (R-KY) assured reporters that concerns about Black voting were misplaced because: “African American voters are voting in just as high a percentage as Americans.”

Independent Senator Angus King of Maine, who has struggled mightily for voting rights for many months and who was a reluctant but firm convert to the talking filibuster, fought hard today to rally support for voting rights and filibuster reform. He quoted President Abraham Lincoln’s warning to lawmakers during the Civil War that “we cannot escape history. We of this congress and this administration will be remembered in spite of ourselves.... The fiery trial through which we pass will light us down in honor or dishonor to the latest generation.”

In light of the vote’s outcome, though, perhaps more to the point was something King said to David Rohde, published in the New Yorker today. In 1890, the Senate rejected a measure designed to protect the voting rights of Black men in the South, where southern legislatures had forced most of them from the polls. Southern Democrats and their northern allies killed the proposed law.

King told Rohde, “The result was seventy-five years of egregious voter suppression in the South. That was a mistake made by a few senators. I honestly feel that we may be at a similar moment.” He added, “I’m afraid we’re making a mistake that will harm the country for decades.”

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