Pleas for Democracy from the Mouths of Hypocrisy



by Lev Tsitrin

I don't know if this ever happened before, a New York Times editorial being treated by news organizations as the chief sensation of the day. Yet here it was: as I woke up and turned on the radio, the first item on NPR news was New York Times' editorial board's plea for Biden to drop out of the race. I looked the site up, and there it was: "To Serve His Country, President Biden Should Leave the Race."

Why this is a right and patriotic thing to do, according to the New York Times?

Because "It is the best chance to protect the soul of the nation ... from the malign warping of Mr. Trump [given that] the

stakes in this November's presidential election [is] nothing less than the future of American democracy [which Trump's victory would put into] a significant jeopardy."

How sweet and patriotic of the *New York Times* to be concerned for democracy!

But before you eyes well up at the thought of *New York Times'* touching patriotism which makes it sacrifice one whom its Editorial Board calls "an admirable president" on the altar of democracy, let me remind the reader of a little problem, known well to those in the know: the *New York Times'* Editorial Board does not give a damn about democracy — if by democracy we understand public control over the government, and the ability to hold the government to account.

I think all should agree that if a branch of the government can act arbitrarily without impunity — in fact declaring that it gave itself the right to act "maliciously and corruptly," it is no democracy at all but at best, an oligarchy. And this is exactly what we have in the case of the third of the federal government — its judicial branch. It gave itself this very right in Pierson v Ray — and routinely uses it to decide cases the way judges want to, and not "according to law." And — surprise, surprise! — the presumably democracy-concerned (or shall we say, "democracy-obsessed") New York Times chooses to not see this clear-cut violation of democracy. To the Dear Editors of the New York Times, it is democracy when federal judges violate the law. When it comes to Trump though, a totally different standard kicks in.

Equally fascinating is how the very journalists who cynically turn blind eye to the violation of law by federal judges manage to convince themselves that they are the defenders of truth from the "disinformation" and "misinformation" which we rednecks are eager to spread and believe. By a weird coincidence, on the very morning on which NPR treated the New York Times' editorial as sensational news, it aired the

segment of the New Yorker Radio hour in which "[the New Yorker's editor] David Remnick asked listeners what's still confounding and confusing about this Presidential election. Dozens of listeners [come on, David, is that all???] wrote in from all over the country, and a crack team of political writers at The New Yorker came together to shed some light on those questions: Susan B. Glasser, Jill Lepore, Clare Malone, Andrew Marantz, Evan Osnos, Kelefa Sanneh, and Benjamin Wallace-Wells." It should have been touching to hear Clare Malone self-describe (at 10:05) the mainstream journalist tribe as bulwark of honesty and truth, painting journalists as weeders of "misinformation" and "disinformation" with which Republicans are rife — yet she made me burst into laughter, given how many times I wrote to David Remnick about judicial fraud, and how he ignores me, for an obvious fear of reporting facts he does not want to report.

How not to be a cynic when one knows for a fact that mainstream journalists — the "fourth estate" as they like to proudly call themselves — are themselves utterly cynical? After all, Ms. Malone's answer came in response to a question (at 5:45) from a listener named Lawrence, a question of why isn't *The New Yorker* doing "critical interviews" with non-"progressives," Trump including?

It is an excellent question to which I would love to hear an answer — but the cynical nonsense from Mr. Malone wasn't that. Tell me why you don't want to "critically interview" me about judicial fraud. I know more about it than anyone else in the country. And I don't mind being constructively criticized. If I am wrong, tell me where and why. Yet, the New Yorker does not rush to talk to me, but would rather push me away (as does the New York Times) — apparently, because Ms. Malone and her colleagues know in advance that all I can provide is antifactual spin — since only democrats and "progressives" can speak truth while republicans and conservatives are, axiomatically, liars and fountainheads of misinformation and

disinformation.

This of course is hogwash — but, cynics being cynics, the fact that the *New Yorker* and the *New York Times* themselves misinform their readers — by omission, by stifling the discussion of a key issue, by "catching and killing" it (and is judicial fraud the only one, I wonder?) — is being omitted from the presumably frank conversation between Mr. Remnick and his "crack reporters."

This said, what, in the end, to make of the New York Times' display of faux patriotism on its editorial pages? In the former Soviet Union (where bathroom tissue was an unheard-of luxury and newspapers were the common replacement) one would be advised to use this exhibit A of journalistic dishonesty and cynicism emphatically for that hygienic purpose (my late grandma — who was illiterate and therefore could not read papers but who checked the pictures — would, back in 1930es, 40es and 50es, go to the outhouse with specially-saved for that purpose portraits of Stalin). In today's America, this use of the New York Times' editorial pseudo-wisdom is both unnecessary, and unhygienic. I guess just laughing off its pseudo-patriotic pretensions that prove America's journalistic hypocrisy is sufficient.

Lev Tsitrin is the author of "Why Do Judges Act as Lawyers?: A Guide to What's Wrong with American Law"