

The Democratic presidential candidates: A socialist appraisal

Kamala Harris: Law-and-order with a dose of identity politics

By Dan Conway
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The World Socialist Web Site has begun an occasional series of articles profiling the major candidates for the Democratic Party presidential nomination in the 2020 elections. WSWs writers will examine the political history and program of each candidate, making the case for a socialist alternative for the working class to both the Democrats and the Trump administration. Profiles of Elizabeth Warren and Pete Buttigieg have already been published.

Among the two dozen candidates now running for the 2020 Democratic presidential nomination, California senator Kamala Harris has regularly polled among the top five contenders for the party's nomination since announcing her candidacy last January.

Both the corporate media and the Democratic Party establishment hailed her performance in the June 26-27 debate in Miami, when she attacked former Vice President Joe Biden over his comments about busing and working with segregationist Democrats in the Senate. She has moved up in both the polls and fundraising since then, hitting first place in a poll of California voters this week for the first time.

With two of her four main rivals being white men in their mid-70s, the 54-year-old Harris, given her gender and mixed Jamaican and south Indian ancestry, is a likely selection for vice president even if she fails to win the nomination, considering the Democratic Party's embrace of the politics of gender and racial identity.

Harris, like the rest of the Democratic field, is trying to posture as a progressive alternative to Trump, while, in her case, seeking to split the difference between Biden, the "moderate" frontrunner, and his two main challengers from the "left" wing of the party, Bernie Sanders and Elizabeth Warren. Harris has tried to have it both ways, combining the "electability" argument of Biden with the suggestion that, as a former prosecutor, she would aggressively challenge Trump.

At the heart of Harris's candidacy—as far as her credentials with the ruling class are concerned—is her record as a ruthless operative in the fields of criminal justice and national security. She was district attorney in San Francisco for six years, then California state attorney-general for the same length of time, before winning a Senate seat in 2016.

Senate Democratic leaders promoted Harris from the start, giving her plum committee assignments, including Budget, Homeland Security and Judiciary, where she was heavily publicized for her role in the questioning of Supreme Court nominee, now justice, Brett Kavanaugh.

Most revealing was her appointment to the Intelligence Committee in 2017—the only newly elected Democrat to be given such a critical position, and an indication that, as far as the Democratic Party establishment and the military-intelligence apparatus were concerned, Harris is a "safe pair of hands."

Harris has repaid this confidence by acting as the point woman, among the Democratic presidential candidates, for the bogus anti-Russian

campaign, demanding Trump's impeachment, not for his flagrant violations of the US Constitution or his persecution of immigrants, but based on the McCarthyite smear that he is a stooge of Moscow.

Speaking at the California Democratic Party's convention in early June, Harris said, "Let's talk about this so-called commander in chief. He parrots Russia's lies over the word of American intelligence and law enforcement leaders. He denies that Russia interfered in the election of the president of the United States. We need to begin impeachment proceedings and we need a new commander in chief."

She continued along these lines in the June 27 Democratic debate, when she repeatedly attacked Trump on foreign policy, declaring, on North Korea, that Trump "embraces Kim Jong-un, a dictator, for the sake of a photo op," adding that "he takes the word of the Russian president over the word of the American intelligence community when it comes to a threat to our democracy and our elections." In a post-debate interview on MSNBC, Harris attacked Trump for taking "the word of a Saudi prince over the word of the American intelligence community" on the murder of Jamal Khashoggi.

For Harris, as for the Democratic Party as a whole, there is no greater breach of political norms than failing to take "the word of the American intelligence community."

A career prosecutor

Harris began her political career in 1990 as a deputy district attorney for Alameda County, which includes the city of Oakland, before crossing the bay to a similar position in San Francisco in 1998. She quickly made high-level connections, moving in elite social circles, where she cultivated patrons like oil heiress Vanessa Getty. She briefly dated then California Assembly Speaker Willie Brown, who became mayor of San Francisco and promoted her political career and financial interests.

By the time Harris decided to challenge incumbent San Francisco District Attorney Terence Hallinan in 2004, she was able to outraise him by two-to-one and spent so much money on the campaign that the San Francisco Ethics Commission imposed a record fine for violating the city's campaign finance law. Hallinan, a former defense lawyer with close ties to Bay Area radical circles—his father had been the 1952 presidential candidate of the Progressive Party—was opposed by the business establishment, the police unions, and the *San Francisco Chronicle*, whose editorial on the contest was headlined: "Harris, for law and order."

Six years later, Harris was the consensus Democratic Party choice for the position of state attorney general being vacated by Jerry Brown, who was the Democratic candidate for governor. She ran with backing of her local congresswoman, Nancy Pelosi, and both Democratic senators, Dianne Feinstein and Barbara Boxer.

As both a city prosecutor and as the top law enforcement official in the largest US state, Harris made a name for herself as a strict “law and order” advocate. As San Francisco District Attorney, she prided herself on the high conviction rates obtained oftentimes heedless of ethical legal practice. Felony conviction rates rose from 52 percent in 2003 to 67 percent in 2006 under her leadership.

This increase in convictions, however, was often due to clear misconduct on the part of Harris and her office. In 2012, Superior Court Judge Ann-Christine Massulo ruled that Harris’s office violated defendants’ rights by withholding damaging information about a corrupt police crime lab technician who had stolen drugs and falsified reports.

As state attorney-general, Harris took on the high-profile defense of the state prison system against court rulings condemning overcrowding and mistreatment of prisoners as unconstitutional “cruel and unusual punishment.” She sought to end federal court supervision of the prisons, later defending her aggressive advocacy with the cynical statement that as the principal legal representative of the state government, “I have a client, and I don’t get to choose my client.”

In 2015, Harris attempted to overturn a lower court ruling declaring the state’s death penalty laws cruel and inhumane. Once again Harris claimed that she was simply defending her client, the state of California which didn’t necessarily reflect her own views on the subject.

When the US Supreme Court in *Brown v. Plata* in 2014 declared the state’s prisons so overcrowded that they constituted cruel and unusual punishment, Harris fought the ruling. Prisoners were stacked in three-person bunkbeds and were falling ill and dying for lack of medical care. The state of California was subsequently ordered to reduce its prison population by 40,000 inmates. Harris actually argued that if California released inmates too soon, the state would lose an important source of labor, citing its reliance on untrained prison inmates risking their lives fighting wildfires for \$2 a day.

In 2015, Harris defended convictions obtained by county prosecutors after the latter had inserted false confessions into interrogation transcripts. Harris asserted at the time that perjury was not sufficient to demonstrate prosecutorial misconduct.

The vindictive, anti-democratic character of Harris’s tenure as attorney general was not limited to the courtroom either. In 2010, Harris sponsored a law, later signed by Governor Arnold Schwarzenegger, which sought to improve schools by jailing parents of truant children and subjecting them to fines of up to \$2,000. Even though the law explicitly made jail time a probable outcome for parents of truant children, Harris claimed in a CNN interview last May that sending parents to jail was an “unintended consequence” of the law.

Harris used her powers as a prosecutor to conduct vicious attacks on the poor and working class while doing her utmost to shield police and politicians from punishment. This stands in marked contrast to what her campaign claims was her record of virtually untarnished progressivism while in office. In her book, *The Truths We Hold*, issued to help launch her campaign, Harris mixes typical sentimental boilerplate with overt falsifications of her political record. She describes herself as a “progressive prosecutor.” Moreover, she claims she “used the powers of the office with a sense of fairness, perspective and experience.”

Many who’ve followed her career as prosecutor have had a different perspective, however. Lara Bazelon, former director of the Loyola Law School Project for the Innocent in Los Angeles, wrote in a *New York Times* op-ed, “Time after time, when progressives urged her to embrace criminal justice reforms as a district attorney and then the state’s attorney general, Ms. Harris opposed them or stayed silent.” Donald Specter, executive director of the Prison Law Office, stated in a *Daily Beast* interview, “As far as I know, she did very little if anything to improve the criminal justice system when she was attorney general.”

Adopting the persona of a “progressive”

Harris launched her presidential campaign with the slogan “Kamala Harris for the people,” a reference to the statement of identification made by district attorneys and other prosecutors when they appear in court. In fits and starts, she adopted positions on a variety of economic and social issues which can be portrayed as vaguely “progressive,” although on closer examination they usually amount to nothing. On the few occasions where she has, perhaps inadvertently, voiced a “left” sentiment, she invariably qualifies it or takes it back the next day.

Thus she embraced the call of Bernie Sanders for “Medicare for all,” but has twice reversed herself on the question of ending private health insurance in favor of a federally financed system, an indication that she really has no intention of implementing such a plan.

Harris also sponsored, along with fellow presidential candidate Elizabeth Warren, a Senate bill known as the Climate Risk Disclosure Act which would use “market forces to speed up the transition from fossil fuels to cleaner energy.” The bill was based on the claims of former Vice President Al Gore and other Democratic Party leaders that environmental clean-up and “green energy” can be promoted as profit-making enterprises.

This bankrupt proposal issues no penalties for polluting companies. It requires them to do nothing to curb pollution aside from listing the amount of greenhouse gases they emit, what fossil fuels they use and how their asset valuations will be affected if they were to reduce carbon emissions in line with the Paris climate accords.

On immigration, Harris has also promised to protect DACA recipients from deportation and publicly opposed Trump’s border wall with Mexico. She tacitly supported the recent Senate passage of \$4.6 billion for Trump’s network of concentration camps for immigrants along the US-Mexico border. Like the other Senate Democrats running for president, she was absent for the vote. The bill was approved by a bipartisan 84-8 margin.

Other legislative proposals were crafted with an eye to their political popularity among Democratic primary voters, to give Harris a more liberal image than her actual record in California or Washington. She supported federal legalization of recreational marijuana and increases in public defender pay to the levels of their state prosecutor counterparts. After the wave of teacher strikes, Harris called for a \$13,500-a-year pay increase for every schoolteacher in the US.

She has also called for increasing the federal minimum wage to \$15 per hour, which, in addition to leaving minimum wage workers still severely impoverished, would make many of these workers ineligible for public assistance programs such as food stamps, housing subsidies and Medicaid.

In part, Harris’s comparative lack of skill at populist posturing is rooted in her own life circumstances. She earned six-figure incomes for decades and is now a millionaire many times over. According to her tax returns, released in April, she and her husband, wealthy lawyer Douglas Emhoff, had an adjusted gross income of \$1,884,319 in 2018, putting them comfortably in the top 0.1 percent. The bulk of this came from Emhoff’s entertainment law practice, while Harris made \$157,352 in Senate salary and \$320,125 in net profits from her campaign memoir.

While Harris has been half-hearted and inconsistent in her attempts at social demagoguery—not the natural bent of someone who spent most of her career putting people in jail or defending police atrocities against the working class—she has shown somewhat more energy in embracing identity politics, which she has previously invoked as the “first black and female” DA of San Francisco, the “first black and female” attorney general of California, and currently as the only black and female US senator.

Harris jumped on the #MeToo bandwagon, being among the first to call for the resignation of Minnesota Senator Al Franken over accusations of

sexual misconduct. These demands were made in spite of the fact that none of the allegations had been proven and even if they had, none would have risen even to the level of a misdemeanor criminal charge.

Harris introduced a bill known as the Maternal CARE ACT to address racial disparities in the care of expectant black mothers which have led to pregnancy-related deaths happening at a rate of 3.3 times more than white mothers. The bill was introduced after a May 10 report released by the Centers for Disease Control and Prevention (CDC).

The CDC report largely recommends a more scientific approach to the issue, including greater access to prenatal programs and other services for expectant mothers, temporary housing programs, better adoption of sepsis, hemorrhage, and transfusion protocols among medical personnel, etc. Harris's Maternal CARE Act, on the other hand, roots the problem in race and particularly in what she alleges to be the conscious and widespread bias of health care practitioners. The bill would earmark \$150 million to identify high risk pregnancies in order to "provide new mothers with the culturally competent care and resources they need."

At this point in the campaign, it can be said that Harris, more so than any other candidate, has taken up the reactionary mantle of identity politics. In that sense, she has taken her cue from the 2016 campaign of Hillary Clinton. The senator's younger sister, Maya Harris, was a senior policy adviser to Clinton's 2016 campaign and currently works as chairwoman for the Harris 2020 campaign.

The younger Harris also works as a political analyst for MSNBC and is married to Tony West, general counsel for Uber and former United States Associate Attorney General in the Obama administration. Maya Harris also edited drafts of Stanford University law professor Michelle Alexander's 2010 book, *The New Jim Crow*. The work, which spent a significant amount of time on the *New York Times* bestseller list, argued that a new racial caste system existed in the United States, largely enforced by the actions of poor whites, which far outweighed any and all considerations of class as a significant social division.

There can be no doubt that if Harris were to succeed in her presidential run, the bourgeois media would subject the public to a constant propaganda barrage, celebrating the transformative character of the first female president and the first black female president at that. Harris, who is of Jamaican and Indian descent, is only the third woman of African descent to run for the office.

This would in no way change the fact that a Harris administration would be as reactionary as Trump and Obama before her.

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