


TEN YEARS AFTER: A DECADE AT EMPTYWHEEL

It is no secret by now that this blog is celebrating its ten year anniversary. You have seen the posts from Marcy, Jim, Ed and Rayne going throughout the history. This will be my retrospective. But, first, I want to make the ask.

For years, we've done this content ad free, relying on your donations and all of us doing free work to supply the things you read here. We have a love for what American democracy ought represent, and spill that love out in real time here. Hopefully that is valuable to you. But it takes real dollars, rubles, shekels and bit coin to keep this site alive. You have no idea what the physical costs are, and George Soros has never sent that check.

So, please, we almost never make an ask, but we are now, if you can, help us out: Support Emptywheel

Okay, with that out of the way, here are some of my key posts over the last decade. It may be ten, it may be more. Whatever it is, there will be soooo many that I wish I had the opportunity to revisit, but time is precious. From the top music:



The world's goin' crazy and
Nobody gives a damn anymore.
And they're breakin' off relationships
and
Leavin' on sailin' ships for far and
distant shores.
The old world's fadin'.
Now it seems so far away.
Well, I'm not goin' anywhere.
There's so much that we can share.
I'm your brother.

Before we start, I would like to take a moment to say thanks any and all who read and reside here. Agree, disagree, whatever...thank you. This blog has, from the start, been a community. That is because of all of you, and all who silently support us. Thanks, it is everything.

Alright, off we go in no apparent order of significance (actually probably tracks better chronologically, though can't guarantee that)...

DON'T CRY FOR THE TELCOS – BUSH & CHENEY ARE THE ONLY ONES THAT ARE DYING FOR IMMUNITY

A very early post, and one I still strongly stand by. The discourse on “immunity” for communications providers was completely dishonest. If you thought their butts were on the line instead of the government's, you were not paying attention to how things go with such interactions.

OBAMA KILLED THE JOHNSEN NOMINATION, NOT BEN NELSON NOR THE GOP

Dawn Johnsen is wonderful; she is the antithesis of what you see today in the DOJ. And I think it is very easy to say that some of the history of the Obama Administration, in retrospect, might be different in a positive way had Mr. Obama hewed to the initial principles, positions, and nominees like Dawn Johnsen that he ran on. Suffice it to say, the votes were there, it was Obama himself that blocked Dawn Johnsen.

ON THE PASSING OF DAVID MARGOLIS

This is a stand in for all of the David Margolis reportage here. There is a lot, from both me and Marcy. Margolis was a “career” man at the DOJ who, arguably, had bigger long term impact than most well known AG's. A complex, and conflicted man now in history. Look for the link to the Roach Motel Margolis created. I first wrote about that in 2010 as to the inherent conflict of interest between the DOJ Office of Professional Responsibility and David Margolis.

FORMER BUSH SPECIAL COUNSEL SCOTT BLOCH BULLIES

JOURNALISTS AND THREATENS 1ST AMEND SPEECH BEFORE CRIMINAL SENTENCING

Scott Bloch was the poster boy both of the imperiousness of the Bush Administration and the fecklessness of Congress. He was a corrupt jackass in charge of, supposedly, supporting whistleblowers in government. He was not just the antithesis of that, but a precursor of the quality of appointees in the Trump Administration....The opposite of what government appointees are supposed to do in office.

A PRIMER ON WHY SCHUELKE REPORT OF DOJ MISCONDUCT (IN TED STEVENS CASE) IS IMPORTANT

I don't know any other way to say it...the prosecution of Alaska Senator Ted Stevens was a disgrace. Sure you can say what you didn't like about Stevens' politics, but the due process free and prosecutorial depraved attack on him was abominable. Ted may have been a joke because of his "toobz" comment, but the man deserved better from the American justice system. And if it can happen to Stevens, guess how easily it occurs out in the states and streets every day.

JOHN MCCAIN THE NARCISSISTIC CARPETBAGGER

There were several posts I wrote on McCain during the 2008 election, most of them are linked in this one, but due to link rot from the demise of Firedoglake, here is another. I had mixed feelings about including this because of McCain's failing health. Love or hate him, and I have done both, he is a true American hero. But, as a native Arizonan, I will never forget the blunderbuss way he barged into Arizona and bullied some of our greatest statesmen.

AARON SWARTZ, PLEA LEVERAGING & THE BORDENKIRCHER PROBLEM

This was a tough post to write. I did it on a plane to San Jose where I knew I would be meeting with one of Aaron's attorneys who was appearing on a panel with Marcy. I knew he, a lot of other attorneys, including First Amendment and criminal specialists, and, most

importantly, Aaron's family, would see it. I think I got it right, and so I have been told. Irrespective, the pernicious effect of the late 70's Supreme Court case of *Bordenkircher v. Hayes* still maintains, and is a blight on criminal justice application.

YES, RAY RICE'S DIVERSION ADJUDICATION WAS APPROPRIATE

Caught a lot of flak for this, but it was unquestionably true from every one to the decades of actual practice of law I have. It was right then, and it is right now. Ray Rice has done, and been, everything that made him the perfect candidate for diversion that he clearly was, whether a well known athlete or not. Sometimes the aggressive press and aggrieved at a distance public needs to let professionals in the criminal justice system do what they know. Sometimes, the system is just bad. But this time it worked perfectly, as I predicted it would.

TRUMP'S BELATED JONES ACT WAIVER FOR PUERTO RICO IS A SHAM, HERE'S WHY

I wanted to include something contemporary. This post was drafted almost immediately upon Trump's dubious announcement. It turned out to be perfectly true. In every regard. And, yet, Puerto Rico is still dying and have never been supplied right given their true disaster. They are American citizens. We owed, and still owe, them so much better.

MOURNING THE LOSS OF A GIANT RECENTLY PASSED

It is far too rare that we get to muse about the more common things here, so I want to include a favorite. And one that seemed to strike home with a lot of you. Granpa Pricky. Our former 25 foot tall saguaro cactus that died with his boots on, and blocking the entire street. Dude went out with a bang! Seriously though, saguaros are truly magnificent. We still have three others, but none like Grandpa. Trust me, read the story of a mighty saguaro, you will like it.

WHY THE DOJ CAN'T PROSECUTE BANKSTERS: MAP OF

CLEMENS INVESTIGATION

This was seriously insane. If you have not seen the chart on what was done by DOJ to go after Roger Clemens while they were ignoring the financial criminals ruining the world, you really need to see it.

PAT TILLMAN WAS A MAN, NOT JUST A SYMBOL

This still hurts. There is so much to say, but it was said in the post. Please read that. He was a bit of a friend, and the world would be better if Pat were still here. He was so much more than the media cut out of him.

Okay, that is pretty much it. It has been strange going back over an entire decade of ups and downs in this wonderful world. Both cathartic, and troubling given the current status. What were once governmental vices are indeed now habits. Or worse. So I leave you, as we entered, with a song from, appropriately, Ten Years After, because that is where we are!

I'd love to change the world
But I don't know what to do
So I'll leave it up to you.

That is not just you, it is all of us. It is an antiquated song from a different time, but the feeling of a country lost I knew then is back now. Thank you, and thank you for your support.