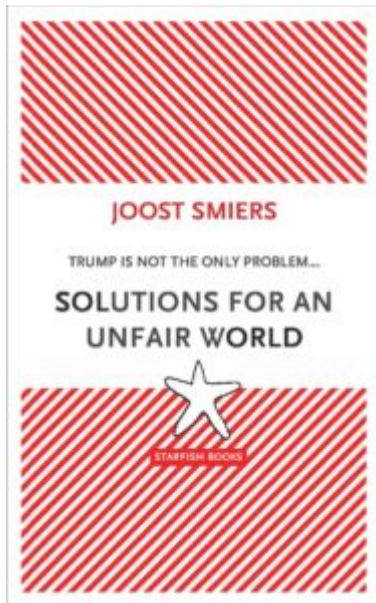


# Solutions For An Unfair World ~ A President With Messy Moral Standards



We live in astonishing times. Donald Trump's government exists of mostly elderly white men - we did not expect otherwise - who together have at least \$35 billion, although I'm afraid I've lost count and it could even be more. It is astonishing that the people who voted for the new president of the United States see absolutely no problem in this accumulation of capital, even if most of them experience very little perspective in life themselves.

It is also astonishing that someone who has to bind together the population of a country and give the world confidence, is unable to feel compassion and to exert self-control, does not have a sense of balance, spits out hate, acts out of revenge, is surrounded by people with a limited look at the world, denies opponents the right to speak and excludes them, flirts with racism, xenophobia, sexism and narcissism, makes people anxious and demonises other people, calls journalists liars, is hardly able to distinguish his business interests from his public duties, does not wish to acknowledge the separation of powers that the Constitution dictates, calls elections fraudulent that do not seem to benefit him, gives religion a prominent place except Islam, dismantles social structures and undermines the power of the democratic system. *America First* is his motto... but what are the United States these days? I would say: an ordinary country, just like any other country with its problems and possibilities, only with the bygone illusion that it is the most powerful country in the world, and a nation chosen by God.

*Make America Great Again.* That's not what Dwight D. Eisenhower meant in his farewell speech as president in 1961. *'Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid*

*becoming a community of dreadful fear and hate, and be instead, a proud confederation of mutual trust and respect.'*

What has President Trump to offer his own people? Neoliberalism, usury-capitalism, the smoothing-over of tax evasion, the removal of rules for the banking sector; likely the planning of infrastructure projects that will result in the privatisation of the *commons*; and the creation of the illusion that there will be massive new employment - did he ever hear of robots?

[A little in-between: In the modern factory you only need two staff members: a man and a dog. The man must give food to the dog, and the dog must make sure the man does not touch the robots.]

What else has Trump to offer his compatriots? Abortion will become considerably more difficult. As ambassador to the United Nations he appointed Nikki R. Haley, who was the governor of South Carolina, where she supported abortion-hostile legislation. She and her boss the president will do their utmost to prevent the UN from incorporating family planning into its aid programs for poor countries. In the Supreme Court Trump wants to appoint judges who want to undo existing abortion opportunities. An important achievement in recent years was the creation of the Consumer Financial Protection Bureau, which must protect citizens against the risks of financial products and services; that is also going to fall. The EPA, the *Environmental Protection Agency*, has been downsized. In the *Federal Trade Commission* people have been appointed who defend the free and unhindered market without any restriction, assuming that the economy and business life flourish better if they are released from the federal government's long arm. The Trump program does not indicate in any way that the commercialized prison system will be humanised: an excessive proportion of the black population will remain locked behind bars, in order to provide cheap labour and at the same time lose its voting rights.

Trump wants to abolish the *Affordable Care Act* - the so-called *Obamacare*, which would make millions of Americans uninsured again. Instead, they will be faced by a far-reaching privatisation of health insurance, which would make being make sick unaffordable for many. With much ado Donald Trump had announced during his election campaign that he would replace the *Obamacare* hated by him with something much better. Once in office he did not yet manage to get any further than a proposal for a *Trumpcare*, which is much worse than what Obama had

been able to achieve during his presidency, against the will of the Republican Party. Obamacare will be undermined anyway by his December 2017 tax law.

Trump had included many professional lobbyists in his transition team. During his presidency they will readily enter the White House to plea for their interests. Those lobbyists, and the think tanks that provide them with arguments and strategies, have billions of dollars. This leads to an unequal struggle for action groups that, for example, fight for a clean environment and against corruption, or take action against dehumanising labour conditions in low-wage countries. The money they have for their activities is not comparable to the money these lobbyists, who operate on behalf of companies and financial institutions, have access to.

Trump's policy will affect not only the us, but the rest of the world as well. I will try to summarise the confusing plethora of themes he throws around in eight points.

*First* of all, Trump is not just a president. More effectively than anyone, he carries out a worldview in which a lack of humility and respect, the creation of false illusions and the spreading of hatred are the most natural thing in the world. Of course we do not know how much influence this will have in the United States and beyond, but there is a connection with the desire for a strong man, and with ideas that there is a race - the white in particular - that is superior to all others, that women are there to be used, that the opponent can and must be overcome by force, regardless of whoever he is and wherever he may be, that the civilising of each other does not have to play a role, and that the ideals of the Enlightenment evoke aversion. His performance acts as a support for the many movements in the world that cherish similar thoughts.

In the New York Times of December 20, 2016 there is an article that can help us to keep track of these uncertain times, with the title *Moderate is not a dirty word: 'There are general characteristics we associate with moderation, including prudence, the humility to recognize limits (including our own), the willingness to balance competing principles and an aversion to fanaticism. Moderation accepts the complexity of life in this world and distrusts utopian visions and simple solutions.'*

*Secondly*, the genie is out of the bottle, and not just in the US. Movements of the

extreme-right, including neo-nazi-like groups, have suddenly come out in the open after the arrival of Trump. The collective name for this is *alt-right*. The threatening with violence and death on social media, the spreading of conspiracy theories and fake messages - it has always been there, but since the breakthrough of Trump this has grown exponentially and publicly you don't have to be ashamed for it anymore. Breitbart News is one of the most popular news sites in the US, with as its specialism that the truth does not matter.

The whole idea that the goal should always be to prevent the truth from being violated and that facts are sacred is under pressure. In earlier times, you could have different opinions about the meaning and value you should assign to certain facts and opinions, but nowadays everything can be proclaimed - true or false. This makes the political-social debate difficult, if not impossible, and tears societies apart: there is no common ground anymore to exchange ideas and disagree with each other. The fundamentals of democracy will therefore be lost. The bad thing is that we are really powerless and do not know how to respond to it.

Perhaps there should be a systematic search for legal action, but this will by no means guarantee a sure victory. In the first place we should find out who is the originator of fake news and conspiracy theories. Secondly, the *First Amendment* of the US Constitution goes a long way in defending freedom of expression. On the other hand, it must be possible to convince judges that, for example, death threats should be regarded as crimes. Incidentally, those who start civil lawsuits can count on defamation and threats, and the same applies to prosecutors in criminal matters. This calls for brave citizens and courageous public figures in the judicial system.

Chuck Jones vs. Donald J. Trump could be an example of such a lawsuit. Chuck Jones is the trade union leader who was accused in a tweet by the new president of being a trade unionist doing '*a terrible job representing workers.*' In a second tweet he called upon Jones to '*to spend more time working - less time talking.*' Immediately after Trump had fired these blanks Chuck Jones was overwhelmed by threats. David Axelrod, who once was Barack Obama's advisor, pointed out that Trump's words had extra strength '*once they were amplified by the most powerful megaphone in the world. When you have the man in the most powerful office for whom there is no target too small, that is a chilling prospect. He has the ability to destroy people in 140 characters.*' (NYT, 10.12.16) That's exactly what Trump has

done. He should be brought to justice by a prosecutor, or Chuck Jones should take civil proceedings against him for this reason, be it at risk for his own life.

Would it not make sense to ban Donald Trump, and others, from Twitter? Immediately we would be confronted with the distinction between direct threats - plus the search for the one who has sent them - and texts which give his supporters cause to threaten, of which you could say: you're a very big fool if you do not understand what effect your Twitter messages have. Of course, freedom of expression is a great thing, but should expressions of hatred be protected within this framework as well? Now they get free rein on Twitter. In any case, it is time for this platform to explicitly define its rules about what is allowed and what not, and to make clear how those rules will be applied. Technically, it's not so difficult to prevent *trolling* - the massive bothering of people with threats. If Twitter would be serious about making rules, I would be surprised if Trump remained untouched and could continue with his hate mail.

The *third* reason the world will have to deal with Trump is that he can be seen as a climate-sceptic. During a visit to the editors of the New York Times, a few days after his election, he stuttered that he is open to the idea that the climate is something that is likely to be influenced by human activity, but this hesitant speculation has had no effect yet on his policy, judging by his withdrawal from the 2015 Paris Climate Agreement and by the appointments he has made: for example, a radical climate change-denier is leading the *Environmental Protection Agency*. For the world as a whole, this undermining of climate policy by the US is fatal.

The challenge now is that other countries should still feel compelled to meet the agreed climate targets, and even step up their efforts a little bit. A more radical approach would be that countries - with Europe in the front row - would prevent all products from the United States that are manufactured under environmentally detrimental conditions from crossing the border. If we recognise that any further damaging of the environment is life-threatening for humankind and all life on earth, no method to stop that could be deemed too radical. Those that do not want to listen should feel the consequences. Of course, I'm not a complete idiot, and I understand that such a boycott will not be easy to accomplish. I propose this nevertheless, because I think it is urgent to consider commercial boycotts - whatever they may look like. Doing nothing against someone who threatens life on earth can not be an option. It is hopeful that various cities and states in the US

- first among them California - are vehemently opposed against the climate policies of Trump.

*Fourthly*, we must realise that the United States are not the perfect democracy we think they are. From experience I know that Americans do not look happy when you accuse the Supreme Court of undermining democracy. But whichever way you look at it, it's actually a lottery when an incumbent president may appoint one or more new judges - after the death of incumbent judges. Such a judge could easily sit in the Supreme Court for a quarter of a century, and could help to ensure that laws adopted during that period are declared against the Constitution and put to rest. In fact, democracy may be bypassed for decades. Whatever will be decided in that period, the majority of the incumbent judges could lay aside. Of course the system of *the-winner-takes-all* is also at odds with the principle of *one man one vote*. For example, in a sparsely populated state, one elector may represent only a few hundred thousand people, while in California it might be five hundred thousand. That sounds like a foul game.

An additional mistake of American democracy is that for many citizens it is difficult, if not virtually impossible, to register as a voter. It would go too far to list all possible obstacles, but it is estimated that there are about six million Americans who can not vote because of this; the right to vote has simply been taken away from them. Apart from that, there is evidence of strong manipulation.

A democracy is at its best if the electoral process is exemplary and there is never any doubt about the validity of the outcome. In the US that is no longer the case. This is a great danger for democracy: if there is any doubt about the question whether the winner is the real winner, this constitutes a time bomb under the basic principle of democracy, and that is confidence. If even in the US the democratic process is showing signs of weakness, that's worrying.

Let's assume that Donald Trump and his team have had frequent contact with Putin and/or his cronies before the elections, and that the Russians have actually tried - successfully - to influence the election process in favour of Trump and to the detriment of Hillary Clinton, and to sabotage the fair course of it - as the New York Times has suggested in its commentary of March 22, 2017. In that case there are three possibilities. The first is that the public prosecutor will initiate criminal proceedings - against specific people from Trumps team and/or against Trump himself. The second is the implementation of an impeachment procedure

against Trump. He has already provided enough reasons for this, but in this case it would be an indictment of co-operating with a foreign power to favourably influence his own election. That is at odds with the US Constitution.

The third possibility is that the elections in the United States will have to be redone. This idea may strike us as unexpected and unrealistic, but it makes sense to think about it a little more. A possible successful impeachment of Donald Trump, and then failing to do anything else, is not satisfying. Because if the electoral process has gone wrong, the only option is to conclude that those elections were not valid and at odds with the prevailing legal order. In Austria, in 2016, for less severe reasons, the presidential elections of April 24 were declared void: there were shortcomings with the ballot papers. So in December 2016 new elections were held, this time without any problems.

If the US presidential elections of November 2016 would be assessed to have been fraudulent, and if no new elections would be held, Trump's successor - his vice-president Mike Pence, who would become president after an impeachment of Trump - would also be missing a legitimate power base. Fraudulent elections can not be cleared by simply replacing the dolls. Illegal remains illegal. This consideration would - if fraud could be proven - also have consequences. If there would be a regime in the US that had come about unlawfully, then other countries would have reasons to send a signal: we can not accept that an ally of us does not pay sufficient attention to the fundamental rules of the legal order. Such a signal could be, for instance, the recall of the ambassador for consultation. At the beginning of this essay I suggested that possibility; after November 9, 2016 I thought about it a bit, just for the sake of provoking the imagination. I could not have fathomed that recalling might need to be taken more seriously than I estimated at the time.

Let's continue with the inconveniences that Trump brings to the world. In the *fifth* place democracy is at stake. It can only function optimally if there is a free and well-nuanced press. We have already seen that an important part of the provision of information has been taken over by social media, which rarely take notice of the truthfulness of the message. What makes this worse is that Trump has made a habit of calling journalists liars during his election campaign - and that he has not stopped doing this once in office. He whips up his audience so that journalists need to fear for their safety and even for their lives. Journalists are arbitrarily denied access to meetings, which they should normally be free to report on. Hate

against the free press is the death blow for democracy. If the president of one of the most powerful countries in the world is getting away with this, what will prevent authoritarian leaders of other countries from chopping with the same ax?

It was surprising to see a headline in the New York Times (20.12.16) with the words: *Trump's attack on the press may save it*. How could that be? Donald Trump had once again freaked out on his Twitter-account; in this case against Vanity Fair and his editor Graydon Carter: *'Way down, big trouble, dead! Graydon Carter, no talent, will be out!'* Vanity Fair did not let this go unchallenged and posted this text on its homepage: *'The Magazine Donald Trump Does not Want You to Read. Subscribe Now!'* And that happened, massively, and not just at Vanity Fair. Since the election of Trump, the circulation of many newspapers, magazines and other media has increased, as well as the donations to nonprofit organisations. Meanwhile, Graydon Carter has conceived an appropriate name for Trump: *the Fake Newser in Chief*.

*Sixth*, in the whole world we can see that democratic representation is ever more situated in a void. One of the pillars of the parliamentary system is - or should be - that the delegates come from a party with members. The delegate is, if it is right, someone who represents not only his or her electorate, but will also be driven by the debate with and the decision-making by the members of his or her party. The delegate is not just someone who sings his or her own tune, but someone who is part of the public debate on the political direction to be taken.

It is a known fact that political parties in many countries are losing members. The social basis from which a delegate takes his or her position in parliament thus becomes somewhat weaker. But never mind, in various countries there are still parties with a political debate of quality. With Donald Trump, but not only with him - think of Geert Wilders in the Netherlands, but also of Emmanuel Macron in France - this has changed. Trump does not think that he is elected thanks to a party with members who have specific political goals, and therefore he is not prepared to account to the Republican party. Often he claims that he started a movement. It could not be more vague. A complete disengagement with the base tends to the image of the Great Leader: Put your destiny into my hands and everything will be fine. But would it really?

Although I'm reluctant to use the concepts of populist and populism, it seems that Trump is moving in this direction.



This is not so much because he operates as a demagogue. The problem is more that he implies that only he can lead the people, and that at the same time he rules out that there are other currents in society that have a right to speak, with leaders that could govern the country in due time. Politics and societal pluralism seem to be the great absentee in Trump's thinking. What we see, and not just with Trump, is this: anyone who disagrees with the populist leader does not belong to the people. Only he represents the people, and has a contract directly with the people, without parliamentary intervention (although it is a remarkably one-sided 'contract' in which the people do not really participate). Anyone who does not act according to the wishes of the populist leader acts unlawfully, as a politician, as a journalist or as a judge, and possibly even as a traitor of the people. (Müller 2016: 42-45)

The core of democracy, however, is pluralistic thinking: multiple views should be possible and must be given the chance to express themselves politically. With Trump this notion is fading: he himself seems to have banned pluralism from politics already, but unfortunately the us institutions do not (yet) allow him to do so.

Nevertheless, no matter how awful the populist stance, we have to keep talking to people from populist currents, even if they tend to be antidemocratic. The reason for this is that one should not let oneself be put on the wrong footing, and that one should always express the conviction that pluralism in politics and society is too important to give up for the sake of the whims of a populist. No matter how difficult it is, we should have that conversation, because this is the epitome of democracy.

Subsequently, my *seventh* point concerns the so-called '*deep state*'. Usually that term is used for situations in which civil servants or senior military men undermine the work of democratically elected governments. But it may also be that a country is saddled with a dictatorship, and that forces in the civil or military service make every effort to make life difficult for the dictator. In short, behind the official facade of the state, a '*deep state*' is hiding with its own agenda, that does not comply with the policies of the leaders of that state.

Normally, we assume that civil servants and soldiers in a democracy will be loyal and serving towards to the chosen government. But it's never so perfect, of course. Ministers, for example, are dependent on the advice and preparatory

work of those who work for them. However neutral and loyal they may pretend to be, they always take their personal insights with them and do not hand them to the wardrobe of the ministry. They also have meetings with representatives of numerous groups and companies who are lobbying hard to get their views heard.

In the United States the strange situation presents itself that Trump constantly thinks that officials, judges, people from the intelligence services and anyone else is conspiring against him. In his fantasy world there is a '*deep state*' that wants to get rid of him. In itself it does not have to be a problem if this brings him sleepless nights - the more sleepless nights the better you would think. But there is actually a big problem. Every official, every person from the intelligence services, every judge and every soldier that does not say what Trump wants to hear is actually suspicious: you see, *the deep state*.

This paranoia of Trump has several catastrophic consequences. For example, if - as an official - you only tell Trump what he wants to hear, you do not do your job very well. This means that the president does not get the appropriate information and data - because he does not want to hear them - to base his policy upon. Whoever tells him what the real facts are, will be seen as a traitor. In fact this means that the entire civil service and everyone else by whom the president is served, is in a permanent state of convulsion. The fatal consequence is that the devices the state needs to be able to function properly can not fulfil their role adequately, and that the state apparatus will be paralysed.

As if this is not bad enough already, something else is at stake as well. The apparatus of the state must, in principle, be as neutral, apolitical and serviceable as possible. It must give citizens the confidence that their interests will be respected, and that they are not going to be politicised randomly. The opposite is happening now: Trump polarises the state apparatus, creating an atmosphere of suspicion, which suggests that all decisions from state bodies are motivated by special interests - *the deep state*, directed against Trump - and therefore need not be respected. The state as a well functioning whole, generally accepted as legitimate, is torn down by Trump's misplaced demand of unconditional loyalty. That was exactly the purpose of Trump's former main advisor in the White House, Steve Bannon. What he had in mind was the '*deconstruction of the administrative state*.' Another word for this is chaos. (Max Fisher, New York Times, 14.3.17)

The Republicans in the United States are now confronted by an incredible

dilemma. During Obama's presidency they made every effort to ensure that the state could not and should not function. In the footsteps of writer and philosopher Ayn Rand, the idea was that everybody had to look after himself. Nobody should be forced by the state to do anything. Ayn Rand was the favourite of many Republicans, especially among the adherents of the *Tea Party*. But now Republicans are actually witnessing what seemed so nice in theory: the implosion of the state. There are Republicans who are no longer so happy about this, at least not as rabid as Donald Trump and his former minion Steve Bannon.

This could mean that the Republican Party, although supremely powerful in the Senate and House of Representatives, and with 'their' president in the White House, will be deeply divided about what the citizens can expect from the state. During the discussions about *Trumpcare* - see above - this proved to be true; however, not in the case of the December 2017 tax law. There are Republicans who think it is dangerous nonsense that the state should help citizens ensuring their healthcare. Others, on the other hand, think that the destruction of Obama's *Affordable Care Act* by Trump is going too far. And if they do not think so in principle, they certainly have to take their hoped for re-election into account. Voting for Trump and for the breakdown of health insurance might mean that their re-election is not guaranteed. In short, the struggle about whether the state in the United States will remain a functioning whole is not over yet.

Finally, the *eighth* point of concern for the US and the rest of the world is actually terrifying. Would it be possible that the tensions triggered by the Trump phenomenon will end in a civil war in the US? If only I would be seeing ghosts ... Suppose the protests in American cities will intensify. One can count on it that groups from the extreme right will infiltrate these protests. This is a great tradition in the US. The infiltration could also be the work of the FBI. The intention could be, for example, to let peaceful demonstrations get out of hand. As a consequence, the *National Guard* will appear and start shooting, which will provoke new protests. At the same time Trump fans, who possess many weapons, will also make themselves heard. It may be that racial violence will come into play. In that case president Trump is not the right person to calm down the emotions.

A large country like the United States, torn by violence, is not a stable factor in the world. The scenario that could unfold is that the president will proclaim the state of emergency and assume extraordinary powers. I'm not the only one who

thinks of the *Reichstagbrand* in such circumstances, as a pretext for establishing a dictatorship, to the joy of a large part of the population that wants to get rid of those cities which have turned into battlefields. Paul Krugman warns: '*Republican institutions don't protect against tyranny when powerful people start defying political norms. And tyranny, when it comes, can flourish while maintaining a republican facade.*' (nyt, 20.12.16)

I'm afraid this is how it is. This was a chapter in minor.