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## Trump's Reichstag Fire



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*This essay is part of a periodic series on the 2020 presidential election. Some earlier pieces can be found [here](#).*

An urban legend is beginning to spin: come January 20, 2021, President Donald Trump will wall himself into the White House, with a few of those gilded sofas wedged up against the Oval Office door, and refuse to come out when the Joe Bidens come calling for the ceremonial ride to the Capitol and the presidential inauguration.

Remember the scene four years ago, when Don and Melania showed up gripping that egg-shell blue box from Tiffany & Co. (“Can’t we just give them that platter we got last year?”), with Trump leaving his wife behind to struggle with the limousine door while he did his bear-walk toward the waiting Obamas and, more to the point, White House power?

I have to say that I am indifferent as to whether Trump stays or goes on the morning of January 20, since barricading himself in the Oval office will simply add to the criminal charges that will come his way that afternoon or in the days that follow.

Mercifully, political power in the United States is based on faith, not the keys to the White House panic room, and I suspect that a few Washington Mall park rangers, experienced at handling trespassers mumbling to themselves that they are president, can remove him from office (once Comcast has cut his cable subscription).

Nor do I think that anyone, other than perhaps Eric and Don Jr. (Ivanka and Jared will have left on a ski trip), will answer the *coup d'état* bell, should Trump choose to ring it. But since the specter of a Trump *putsch* (he is German, after all) is at least under discussion, let's review whether if where there's smoke, there's fire.

### **The White Noise of the Recount Drama**

For starters, ignore all the Twitter about vote recounting in places like Pennsylvania or Georgia as changing the outcome of the presidential election.

It was never the intention of Trump and personal lawyer Rudy Giuliani to claw their way into the White House on the back of some national recount, which is just a smoke-and-mirrors exercise to lay their entitlement claims before the court of public opinion.

If Trump were serious about his various state recount lawsuits, he might have organized better evidence than the affidavit of the convicted child sex offender/Trump poll watcher who saw some questionable ballot-counting practices in Pennsylvania, or he might have had a better plan than to send Rudy to the microphones in front of that Philadelphia dildo store (a “coals to Newcastle” exercise, I must say).

As a Reichstag fire, the great vote recount hoax isn't very convincing. Even if a case or two lands in front of the wholly-owned Supreme Court subsidiary, none of them has any chance of overturning anything more substantial than those 53 contested votes in Georgia. So those gas cans, in the lobby of American democracy, will fail to ignite.

### **Trump's Certifiable**

Slightly more promising would be for the Trump's hole-in-ballot-box gang to persuade some friendly state legislatures, in states where Biden has won, to intervene in the vote certification process and to appoint an alternative slate of Trump electors to make the case that they are the “real” electors when Congress counts the presidential votes on January 6, 2020.

The problem with this strategy, for example in Pennsylvania, is that while that legislature has a Republican majority, the governor is a Democrat, Tom Wolf, who appointed the secretary of state, Kathy Boockvar, who has the job of auditor-in-chief of electoral fairness (something she takes seriously, as do thousands of other vote-counting officials across the country).

Without knowing either Wolf or Boockvar, my guess is that they would lie down in the streets of Harrisburg before they would allow the Republican majorities in the state legislature to vote in an alternate slate of Trump electors that would turn up in Washington with phony credentials.

For Trump and Giuliani, that leaves only Georgia and Arizona among the swing states where Biden has won or is winning the popular vote and which have a “trifecta” of the governor and both state legislatures under Republican control.

On paper anyway, those states could be susceptible to the appointment of rogue electors, although in Georgia and Arizona the legislatures would be breaking their own states’ laws if they were to ram through electors (11 in Arizona; 16 in Georgia) for Donald Trump (still not enough to turn the election).

Here’s the pertinent clause in the Constitution:

Each state shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress...

And the legislatures in Georgia and Arizona have “directed” that a popular vote will decide who is chosen as a presidential elector.

As I said, it would be against the law to send in Trump-cloned electors (if the popular votes have been tabulated otherwise), but keep in mind that three of the current members of the U.S. Supreme Court (Roberts, Kavanaugh, and Barrett) worked for Bush on *Bush v. Gore* in 2000, which shut down the recounts in Florida, gifting the presidency to George W. Bush. That case also left open the question whether state legislatures have absolute authority, according to the “original intent” of the U.S. Constitution, to appoint presidential electors, which might give Trump some hope here.

### **Hail Mary Pence**

The reason why fiddling with presidential electors is more promising for a Trump *putsch* than recounting votes in Wisconsin is because it is a joint session of Congress on January 6, with the unctuous Vice-President Mike Pence presiding, that opens the electoral envelopes from each state, counts the votes, and resolves any disputes.

If the issue of electors (and their credentials) cannot be resolved by the House and Senate, then the House of Representatives (one delegation, one vote) would determine the election (in Trump’s favor).

It would be a Hail Mary for the god-fearing Trump, but perhaps one worth some genuflection, if the alternative to staying on in the White House is a stretch at Attica Correctional Facility.

### **Georgia on Mitch’s Mind**

Here’s another dilemma for Trump’s Three-card Monte recount strategy: any attempt to strong-arm the Georgia legislature would probably doom the two Republican senatorial candidates in the special runoff elections in Georgia, scheduled for January 5, 2021 (the day before the electoral votes are counted in Washington, D.C.).

If Trump tries a sleight-of-hand game in Georgia, he would find himself fighting not only Biden and the Democrats, but also, ironically, Mitch McConnell, as the Senate majority

leader needs to carry at least one seat there for Republicans to maintain their (and his) grip on senatorial power.

I don't know whether you noticed it, but when Mitch gave Trump a high five to chase after fraudulent votes, he limited his enthusiasm only until the states "certify" their vote totals.

Here is what McConnell said in prepared remarks on the floor of the Senate:

Obviously, no states have yet certified their election results. We have at least one or two states that are already on track for a recount. And I believe the president may have legal challenges underway in at least five states.

The core principle here is not complicated. In the United States of America, all legal ballots must be counted and illegal ballots must not be counted. The process should be transparent or observable by all sides, and the courts are here to work through concerns. Our institutions are actually built for this. We have the system in place to consider concerns, and President Trump is 100% within his rights to look into allegations of irregularities and weigh his legal options.

It sounds fairly anodyne (blah, blah, blah.... "*all legal ballots...*"), and matches what Rudy was saying in front of the lawn, garden, and vibrator center. And Mitch is correct to say it is within Trump's rights to ask for recounts and the like.

But his upbeat comments draw a line in the sand at certification (December 8, 2020), after which, when Trump's court appeals will have failed, Mitch will be the top Republican dog in Washington, first in line to water down whichever fire hydrant he pleases.

### **Don't Let the Door Hit You on the Way Out**

In the Senate runoffs in Georgia, Mitch is walking a fine line (although, I must say, he is doing it better than the Democrats, who decided the best way to win control of the Senate was to devour their own and blame Alexandria Ocasio-Cortez for the losses in Congress).

What Mitch wants to do in Georgia—in order to retain his and Republican control in the Senate—is to turn out Trump's base in the runoff election, by saying loudly, "Hell, ya, we wuz robbed." That's the red meat (okay, beef jerky) served up to Georgia's MAGA Republicans.

Hence all the orchestrated Republican comments—from the likes of senators Lindsey Graham and Ted Cruz—that imply Trump was cheated.

Actually all of them know that Trump is going down for the count in the presidential election, but they need the juice of his suicide mission ("*...all legal ballots...*") to help Republicans turn out in Georgia.

Going forward, Republicans are happy to live their lives without Trump and to take their chances with Mitch lording over the Senate, Supreme Court, and Joe Biden, who loved nothing more than his racist colleagues in the Senate (see Thurmond, Strom, eulogy thereof).

### **Parscale Signs Off on Trump's XXX Expenses**

Another reason why Trump's recount end-game is doomed to failure is that he's broke and cannot pay for the multi-million dollar legal strategy that Rudy and Eric were blathering on about in the adult store parking lot.

For the last few years, Trump has treated the finances of the Republican party as if they were just another Deutsche Bank overdraft, for example, dipping into the re-election campaign fund to spend \$80 million on personal legal expenses (all of his pussy-grabbing lawsuits, etc.).

The remaining campaign funds were spent, in part, on Trump vanity indulgences, such as ads on Fox in Washington, D.C., so that the president (while lying in bed with a few burgers) could bask in the glory of his reelection spots (in a city that would vote 93% for Biden).

Given that Trump was able to siphon off \$80 million of Republican party money to pay his sexual assault defense lawyers, I do wonder what was the role of Brad Parscale (of late on suicide watch) in running the Trump reelection campaign. Was he put there as a Trump tap on Republican campaign money?

When recently Parscale's wife called the cops to their Florida home (Brad was threatening to hurt her or himself), the campaign boss was surrounded by enough new cars, flat screen TVs, and boats to look like the winning contestant on a TV game show (*"You, Too, Can Run a Presidential Campaign..."*).

My take on the front-lawn swag is that it was the vigorish from the Trump gang for turning a blind eye to their own looting of party funds.

I saw Parscale in person at a Trump rally in Iowa, where his contribution to American politics was to shoot Trump T-shirts into the delirious crowd (as if it were a Heat-Raptors game).

Something tells me that T-shirt shooting, however well done, isn't exactly the ticket to the Florida good life.

### **Let's Make a Trump Legal Deal**

Now that Trump has been schooled in presidential election, I would imagine that he's lost his drain on party funds, and that Mitch McConnell and other Republican hierarchs are telling him that he can hunt all the fraudulent votes he wants, so long as he (Trump) is paying for the dogs.

Even in Trump's fictional world of wealth, there are limits on the number of \$25 million legal bills that can be paid, and my guess on the voter-fraud-recount pageant is that it would cost millions, if done on an expedited basis using big-time law firms.

At the same time I suspect these firms, unlike personal marital-aid lawyer and *Borat Subsequent Moviefilm* extra Rudy Giuliani, are not willing to work for free, and that the most interesting conversations these days in American politics are those between Eric or Don Jr. and law firm partners, who in calm, rational voices are telling the Trump brothers that they would "love to help out" in Wisconsin, Arizona, Pennsylvania, or Georgia but that a retainer

of \$10 million will be needed “up front” to cover some “incidentals” that come with the stealing of an election.

I don’t believe that the vibrating Trumps have an extra \$10 million at hand, which may explain why in Nevada the Trump campaign quietly dropped its lawsuit in a case involving alleged fraud over the counting of mail-in ballots.

The Nevada Supreme Court ruled against the Trump campaign, which declined to appeal the ruling, an indication that Trump’s pockets are probably not as deep as he once might have implied to Miss America contestants.

I have read all the stories about how Trump is planning to run again in 2024, how he’s the future of the Republican Party, and how any day now he will launch his own dog-whistling cable network that will rake in millions, but my guess is that when the history of the Trump presidency is written, it will be as a Ponzi scheme of epic proportions, in which Russians, Saudis, Deutsche Bank, and the Republican Party, among others, were played on a Madoff scale. Add in the recount claim to this world of illusion.

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*Matthew Stevenson is the author of many books, including [Reading the Rails](#) and [Appalachia Spring](#). His most recent book, published this summer, is [The Revolution as a Dinner Party](#), about China throughout its turbulent twentieth century.*