

افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نپاشد تن من مباد بدین بوم و بر زنده یک تن مباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com

afgazad@gmail.com

European Languages

زبانهای اروپایی

BY PAUL STREET

06.12.2020

Simon Says



Photograph by Nathaniel St. Clair

It Just Keeps Yapping

Flicking around the channel spectrum last Sunday I ran across the fascist charlatan Donald Trump in real time. He was telling a mentally challenged Fatherland (FOX) News host named Maria that he actually won the election and the “the Democrats used covid to stuff the ballot boxes.”

“Everybody knows that,” Trump said.

Yes, that’s common knowledge, just like “everyone knows” that Trump has done more to stem the spread of COVID-19 than anyone else on the planet.

Maria nodded along submissively as the tangerine-tinted Marvel Comics villain Trump went on and on with shamelessly moronic QAnon claims about how the election was “rigged” with Hugo Chavez’s “Dominion” voting software and with the Marxist-Bidenite Democrats “throwing poll-watchers out of buildings.”

Everybody knows that, as Trump pointed out, the [ChiCom](#) Dems have such totalitarian power that even the President of the United States, Donald Trump, has “no standing” in the state and federal court. “I have no standing. It’s outrageous,” the hideous orange reptile (HOR) told Maria. And “everybody knows it.”

You betchya!

Maria tried to get a word in but the demented grifter wouldn’t stop talking, adding one more idiotic assertion after another, coupled with “everybody knows that.”

Sleepy Joe [“Nothing Will Fundamentally Change”](#) Biden’s best line in his two presidential “debates” with the HOR came when he said [“keep yapping”](#) and made the talking sign with his right hand.

When he gets going, the HOR simply will not shut up. The more outrageously idiotic its claims, the more it doubles down with even more implausible assertions that make earlier statements seem reasonable by comparison.

It just keeps yapping and yapping. Donald Trump is the all-time Energizer Bunny of total bullshit.

Five Dark Thoughts

Briefly fixated on this fascistic freak show before switching to watch another broken National Football League player get hauled off the gladiatorial gridiron, I was struck by five depressing thoughts:

+1. Contrary to some deep thinkers I respect, Trump does have an ideology beyond just pure self-interest. A leading component of his world view is Social Darwinian white supremacy. When Trump says he won the election, perhaps he really just means that won the white vote (which he did, chillingly and tellingly enough). For a white nationalist (for whom the only legitimate and legal voters and citizens are whites), that’s a kind of a win.

+2. There are many tens of millions of Americans, very disproportionately white, who seriously believe the malignant and Orwellian madness that still spills from the lips and Twitter feed of the pandemic-fanning herd-immunitarian-in-chief even after it lost its bid for re-election (to an epically uninspiring and deeply conservative near-octogenarian). Trump says two plus two equals five and a giant mass of brainwashed and unmasked Amerikaners agree. It’s not “everyone” (Trump’s nearly 74 million votes came from 29 percent of the nation’s adult population) who does this but it’s a damn big and badly overrepresented (see below) minority that we seem to have no idea what to do about (my preferred ChiCom solution matches the ever-more-mainstreamed “alt-right’s” neo-Bircherite fantasies, actually).

+3. Only a small minority of top elected Republicans have publicly acknowledged that Biden won a month after Biden clearly won. The Republifascist Party's broad refusal to acknowledge that one plus one equals two persists even after Trump's white-Christian-nationalist personal attorney general William Barr tried to retain a shred of dignity by publicly saying that Trump's vote-fraud claims lack merit. This does not bode well for the shaky future of the republic.

+4. The pandemic that the genocidal racist Trump and his Satanic son-in-law Jared 666 Kushner let loose upon the land is now killing 2500 or more Americans per day. The Trump-Jared Virus (COVID-19/-45) is on pace to kill half a million Americans by March and all the malignant orange Conspiracist-in-Chief cares about is golfing, using Twitter and Fatherland (FOX) News to spread fascistic nonsense about the mythical theft of the election, and plotting presidential pardons for criminals, including himself.

+5. This maniac Trump still has just under seven more weeks in the world's most powerful and dangerous job. Many tens and perhaps hundreds of thousands of Americans will needlessly perish as a result.

Because Constitutional Simon Says

We might want to think a bit more about this last point. This deadly beast still sits in the White House for 47 more days. Why? Says who?

Constitutional Simon, in its 20th Amendment, that's who.

Simon Says. It's insane.

No other "democracy" (if that's what we want to call capitalist countries with bourgeois-representative governments) leaves the chief executive in control for months after he or she has lost an election.

Why on Earth should a twisted lunatic like Trump be permitted to hang on (after being massively repudiated) to try to burn down the house, poison the well for his successor, and inflict vengeance on his enemies and humanity in general?

Because Constitutional Simon Says the presidential election takes place on the first Tuesday of November once every four years, with an Inauguration scheduled for the following January 20th. (It was March 4th until 1933).

A pandemic-fueling racist uses the most powerful office on the planet to imperil humanity and spread poison nearly four years, causing 80 million people to vote him out and as a reward he gets 78 more days with his fingers on the triggers. And the populace just sits dutifully on its duffs to waiting this madness out.

Because Simon Says.

It's the same Constitutional Simon who says that:

+ Trump, like a monarch, gets (under Article II, Section 2, Clause 1) to pardon miserable criminals like Michael Flynn, Eddie Gallagher, fascist Joe Arpaio, Jared Kushner, and others,

possibly including himself (Constitutional lawyers say it is actually unclear whether or not the Trump can issue an advance blanket federal pardon of himself. How insane is that? [1])

+ U.S.-Americans don't elect their presidents in a national popular vote but rather through an openly undemocratic Electoral College (Article II, Section 1, Clause 2) system that significantly over-represents the nation's most reactionary regions and major party, meaning that the Democratic candidate typically has to win the popular vote by many millions of votes in order to prevail.[2]

+ Right-wing and disproportionately white, rural, and low-population states like Wyoming, Montana, North Dakota, South Dakota, Iowa, and Kansas each have (under Article I, Section 3, Clause 1) the same number of U.S. Senators as do larger, more racially and ethnically diverse, urban and progressive states like California and New York – a direct violation of the elementary democratic principle of one-person, one vote that tilts the powerful US Senate ridiculously far to the right of the U.S. populace.

+ The absurdly right-leaning rotten-borough US Senate complements its veto power (under Article I, Section 7, Clause 2) over legislation from the more genuinely representative US House of Representatives (the “lower” house of Congress) and over presidential Cabinet (Article II, Section 2, Clause 2) and U.S. Supreme Court (Article II, Section 2, Clause 2) appointments.

+ The highly unrepresentative minority-rule Senate has 1/3 veto power (Article I, Section 3, Clause 6) over House efforts to remove presidents through impeachment for high crimes and misdemeanors (presidents cannot be removed from office unless two-thirds of the senate uphold House impeachment).

+ The very powerful and currently super-majority (6-3) right-wing Supreme Court is appointed for life (the meaning of “shall hold their offices during good behavior” in Article III, Section 1) and has considerable final say (under Article III, Section 1, Clause 1) on key policies[3], holding for example (under the 1976 *Buckley v. Valeo* and 2010 *Citizen United* decisions) that giant corporations and financial institutions have unlimited rights to fund political candidates (something which helps guarantee that both of the nation's two electorally viable political organizations are owned by concentrated wealth/big capital).

+ State governments are shockingly free (under Article I, Section 2, Clause 3 and subsequent decisions by the in fact very powerful U.S. Supreme Court) to gerrymander House of Representatives district boundaries in ways calculated to guarantee unfair advantage for the most powerful state party.

+ Amending the U.S. Constitution (under Article V) on serious and substantive policy issues reflecting majority opinion and threatening the power of the wealthy Few is close to, if not fully impossible, short of a popular revolution.

+ It is close to impossible to remove a U.S. president for criminal conduct short of voting them out during the next quadrennial election. (Both the Constitution's impeachment

directions and the 25th Amendment pose practically unsurmountable barriers to removal, especially when the president's party holds power in the US Senate. The only time the barriers have been overcome was the *de facto* Congressional removal of Richard Nixon, who resigned after learning that enough Republican Senators would vote to convict him after a certain coming House impeachment.)

There are some of the straight-jackets that Americans wear, handed down to them by 18th Century slave-owners, merchant capitalist, and wealthy publicists for whom democracy was the ultimate nightmare.

It's all a bit like children playing Simon Says, a ridiculous centuries-old "game" likely invented by adults to train young people in blind obedience.

"Represent majority public opinion by moving to pass Single Payer health insurance, establishing health care as a human right!"

"Okay, here we go!"

"Stop, we didn't say Simon Says. The Senate didn't say so. The Supreme Court says no. Big campaign money and corporate media says forget it and the Supreme Court has ruled that unlimited plutocratic campaign finance and corporate media are Free Speech! Constitutional Simon Says!"

"Oops, my bad, sorry. Maybe we can try to expand Medicaid and Medicare to some more people."

"Well, wait and see what Simon Says!"

"Okay. *Fingers crossed while millions of us perish prematurely from our great 'democracy's' failure to honor majority public opinion and join the civilized world by making health care a human right.*"

Charters Matter

It is simply amazing how little notice the absurdly authoritarian U.S. Constitutional set up, inherited from the late 18th Century, gets. Like capitalism's systemically inherent war on democracy, social justice, equality and livable ecology and the related crimes of American imperialism, the crippling impact of the Constitution is a non-issue in mainstream U.S. media and politics. It doesn't merit any more discussion than the spherical nature of the planet. It's been naturalized and eternalized, placed outside the realm of historical contingency and human agency.

And that's a shame. The authoritarianism that reigns in America today is largely *but not solely* about the unelected dictatorships of capitalism-imperialism, sexism, racism, and nativism. Political charters and institutions matter. The purposely undemocratic U.S. Constitution, passed when rich people rode around in horse-drawn buggies and Louis XVI still reigned (though not for long) in France – long before the corporate reconstruction of American capitalism and the global ascendancy of Superpower Uncle Sam – matters. You can't fully understand the rightward, even neofascistic drift of American politics and society

(still happening regardless of Biden's victory and soon to draw fierce "Stabbed in the Back" energy from the absurd charge of a "rigged" Democratic win) without factoring in the authoritarian madness of the American constitutional straight-jacket, which tilts the nation's politics and policy far to the right of public opinion.

Watching the lethal farce that passes for "democracy" in the U.S. today, one might discern the feint laughter of James Madison, Alexander Hamilton, and John Jay, and other constitutional Framers who agreed that (in Jay's words) "the people who own the country ought to run the country" (in their own interests, wrapped in the American flag, of course). The last thing these absurdly venerated aristo-republican arch-propertarians wanted to see break out and emerge from their so-called revolution was democracy. Their class-rule reading of Greek, Roman, and recent North American history told them that popular sovereignty was a "tyrannical" threat to "liberty," understood as untrammelled freedom for property. Democracy raised the specter of what our revered Founders considered horrid "levelling" schemes inflicted on behalf of the inferior property-less and property-poor rabble.

The nation's outwardly dignified, powdered-wigged Founders would have been appalled, of course, by the uncouth and anti-intellectual barbarism of the venal grifter Donald Trump (no statesman by any century's standards), but he is to no small extent an outcome of the savagely unequal system they helped create and expand with their brilliantly undemocratic Constitution.

We ought to put the demand for a new peoples' charter front and center in our call for a people's rebellion and revolution to save humanity from historically imminent capitalist extinction.

Endnotes

+1. Not to mention the arch-authoritarian absurdity of *advance blanket pardons* for federal charges that haven't even been filed yet, like the preposterous pardon President Gerald Ford was insanely allowed to grant to the arch-criminal Richard Nixon in 1974. You know you inhabit a nuthouse when the notion of a maniacal president *advance-blanket-pardoning himself for any and all federal crimes committed while he was president is a topic of debate and discussion*. Shall we consider re-introducing the divine right of kings to North America?

-

+2. Imagine if the National Hockey League decided to let just two super-wealthy teams – one in the Eastern conference and one in the Western conference – always play on the downward-skating side of a significantly uneven rink. One can be sure that the Stanley Cup Finals would pit those two teams and only those two teams against each other every season. Imagine further that the Finals would be played with the least reactionary and fascistic of those two teams having to skate uphill.

+3. A smart Left economist on this site actually wrote the following last October: "Here's another fact that most Americans don't know about their own Constitution: no where (sic) in

it (sic) does it call for or authorize a US Supreme Court!.... Those who believe the SCOTUS does have the right to intervene in elections, or that the Supreme Court can rule a law unconstitutional, or even that it is a co-equal branch of government simply don't know their own US Constitution.” I am not making this up. Some key language from the U.S. Constitution:

Article III

Section 1. The judicial power of the United States, shall be vested in one Supreme Court [note the capitalization – P.S], and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. 1 [wherein what later became known as judicial review is a strongly implied power – P.S]. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states;—between a state and citizens of another state;— between citizens of different states;—between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects...In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.”

DECEMBER 4, 2020

Paul Street's new book is [The Hollow Resistance: Obama, Trump, and Politics of Appeasement](#).