

What The Candidate May Have In Mind

or how the American public may miss the true nature of his candidacy

May 12th, 2016

I

It seems a majority of citizens believe the President enjoys unlimited power in this democracy, and in particular the power to fulfill the not only irrational and contradictory, but also blatantly unconstitutional promises made during this electoral campaign.

However, the explicit constitutional powers of the President are to:

- Sign legislation into law or veto bills enacted by Congress, although Congress may override a veto with a two-thirds vote of both houses.
- Appoint federal posts, such as members of government agencies.
- Appoint federal judges.
- Conduct diplomacy with other nations, with the power to negotiate and sign treaties, which also must be ratified by two-thirds of the Senate.
- Issue executive orders, which direct executive officers or clarify and further existing laws. While an executive order does bypass the U.S. Congress and the standard legislative lawmaking process, no part of an executive order may direct the agencies to conduct illegal or unconstitutional activities. In other words, executive orders may not violate existing laws.
- Extend pardons and clemencies for federal crimes, except in cases of impeachment.
- The President is also the “Commander-in-Chief”, a solemn title which for all its pomp does not reflect exactly the reality of the military chain of command of the armed forces. The military are politically subservient to the President, but the actual technical military command of the armed forces is the shared responsibility of professional soldiers, the President having neither experience nor qualification in this field. The President is not reasonably in a position to devise military strategies and tactics, and as the military oath is primarily to

uphold the Constitution and obey lawful orders, the military hierarchy would not obey unconstitutional or unlawful orders, including orders contrary to the Geneva Convention, and it remains to be seen whether they would ever put to use a wartime strategy or tactics they thought were inept. Furthermore, it seems rather ironic that the Founding Fathers should have put so much effort in resolutely separating the three branches of government, only to attach the military to one branch only in an integrated fashion. It seems the title is the nostalgic legacy of the American Revolution, in which George Washington was the military Commander-in-Chief serving the political power of the time, years before there was a nation, of which he became the first President in 1789 and somehow conserved the title. Incidentally, he was also the president of the Constitutional Convention, which was convened six years after the surrender of Yorktown and produced the Constitution. It would be interesting to argue rhetorically who would have been the actual Commander-in-Chief if John Adams had been the first President and George Washington the Vice-President instead of the opposite.

It could be said that the President's main duty is to enforce the laws voted by Congress, although he has the right to vigorously oppose laws that he finds to be strongly objectionable, provided that at least one third of Congress supports his objections. He has no power whatsoever to make laws. Quite explicitly, the President's first prerogative is to freeze the exercise of government if he so wishes, provided he is opposed by no more than two thirds of the Legislature, which he is not entitled to overpower. Furthermore, the President does not control the purse, and without the assent and support of the House of Representatives he is devoid of wherewithal, as exemplified repeatedly in the last few years. In part because of that, it is Congress that holds the actual reins of power, not the President. Short of having on his side 218 House Representatives (out of 435) and 51 Senators (out of 100), there is not much the President can achieve, before he even starts worrying about the Governments and Legislatures of the 50 individual States, or the Supreme Court and the blatant unconstitutionality of the current promises. Now, if a clear majority of the 2017 Congress were on the candidate's side the situation would be radically different (save for the unconstitutionality of the promised policies), but that would be true irrespective of the candidate's victory in the presidential elections, and one shouldn't bet too much on it: it is one thing to elect one deluded demagogue, still another to elect 269 of them.

Eleven score and seven years ago our fathers brought forth a new Constitution, but although Franklin, Hamilton, Madison, Washington, and thirty-five other intellectual luminaries wisely introduced the principles of separation of powers and the three branches of government, precisely to prevent autocratic rule, it seems their political philosophy has been largely forgotten today. Their time was called "The Age of Enlightenment", or "The Age of Reason", when intelligence and culture were still encouraged and admired.

One could venture that the quickest and most efficient way to remind our citizens of the wisdom of democracy is probably to let them elect the most irrational and immoral candidate and then witness first hand his utter failure and rapid downfall, as he will not have the power to make good on any of his delusional promises. Sure, he will be a temporary embarrassment for the nation, but ridicule never killed anyone, and furthermore he may even end up in a court of law for attempted abuse of power. His election and subsequent failure would probably nip in the bud the current aspirations of other delusional populist politicians elsewhere in the world and silence them for a while. If not elected this term, he or his successor will try again, their chances increasing with each election cycle.

The United States is a democracy, not a dictatorship: we should not be overly concerned with the precedents of Adolf Hitler and Benito Mussolini, for our current aspiring totalitarian candidate lacks the one indispensable dictatorial instrument: a strong and well organized paramilitary militia predating his electoral efforts by at least a decade. Complacent and somewhat unsophisticated voters may briefly disgrace themselves and the country by electing one of theirs, they will not destroy democracy, not by a long shot, even if this were their secret ambition, which hopefully it is not.

Luckily for them, the ballot is secret, so their ridicule won't be exposed too publicly, at least for the least vocal.

II

It could also be that the candidate with the strange fascist appeal does not mean a word of what he says (out of sheer indifference, not love for thy neighbor, though), and has no intention whatsoever to implement any of the irrational policies he promised only to lure the dupes who are paving the road to the White House for him.

It will probably appear from the release of his tax returns, when and if he finally discloses them, that his wealth is significantly smaller than he boasted. He may think that the downgrading of his financial status is detrimental to his business, which consists mainly of selling his name for others to affix in golden letters on their own buildings. For his business to thrive, he needs worldwide recognition, and what better recognition and visibility is there than that of the President-of-the-United-States-of-America, the resident at such a prestigious address as 1600 Pennsylvania Ave NW, Washington, DC 20500, a place where he could freely entertain himself, his family, and his existing and future customers at the expense of taxpayers.

One may ask: what about governing? It should however be remembered that the candidate's lack of sincerity is widely acknowledged even by his staunchest supporters, so it would not be surprising if governing proved to be the least of his concerns and he left the exhausting task of managing the Federal Government to his Cabinet, especially to the Secretaries of State and of Defense, dedicating his four years in office to improving his golf handicap and tangerine tan, to the overall satisfaction of Congress while his brand name promotes itself effortlessly. It could also be that his first term in the White House, during which he would do nothing from an executive standpoint, thus never antagonizing Congress, could make him the best President in history, precisely because he did nothing. In addition, not doing a thing, he could hardly be blamed personally for any mishap. Although it would have been quite a challenge to win a first presidential election on an openly lethargic program, his re-election could be assured when voters realize that the best President is an idle President.

The President went golfing.

III

Either the candidate meant what he said during the primary election campaign, and he will utterly fail, or he did not mean a word of it and he will prudently do nothing. For four years a ghost in the White House, and no demagogue of the other party either.

He announced on May 12th that the Muslim ban was just a “suggestion”. A few days prior, he had declared he would support a minimum wage increase, in contradiction with his former promises. He made promises to one crowd in the primary election campaign, he is making contrary promises to the other in the general election

campaign, as was well predicted. It could be hazarded that he is currently working on the Mexican Wall issue and will soon come up with some extravagant sleight of hand, perhaps promising a moat from Matamoros to Tijuana, which would be much more of an obstacle than a mere wall and could also serve as a transcontinental canal competing with Panama, paid for by the Chinese but proudly built by American workers on the north bank and Mexican obreros on the other. He already shouted with a big laugh, on Cinco de Mayo: "I love Hispanics!". Will he be able to ban Muslims while welcoming them, or raise minimum wage while freezing it, or build the Wall while digging the Transcontinental Canal, or both, or none, or perhaps be pro-life while being pro-choice? Of course not: he'll do nothing, because he knows he couldn't do anything even if he were sincere. Meanwhile he will revel in the glory of the White House, a totally unconcerned clown savoring the biggest joke in the history of the United States of America.

A nonchalant fabricator he is, but also a Master of Politics, which seems to be all about understanding the psyche of an essentially ill-informed and somewhat gullible public.

IV

The "campaign chairman and chief strategist" of the populist presidential candidate made this statement on May 25th, 2016, about two weeks after the preceding pages were written:

"The vice presidential pick will also be part of the process of proving he's ready for the White House. He needs an experienced person to do the part of the job he doesn't want to do. He sees himself more as the chairman of the board, than even the CEO, let alone the COO."

Article II, Section 1, of the Constitution –The Executive Branch– defines the office of the President of the United States in these few words: *"The executive Power shall be vested in a President of the United States of America."* The President is indeed defined as the chief executive officer. However, it seems the candidate pictures himself now more like a newly self-anointed monarch. Who does he anticipate will take care of the executive Power, discharging the duties associated with the *"job he doesn't want to do"* but so eagerly seeks? Would that be a newly inducted Prime

Minister? Does His Aspiring Majesty intend to write and ratify single handedly the XXVIIIth Amendment for Article II of the Constitution?

The same Section ends with the statement that *“Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States”,* which surely implies that he will not endeavor to injure, abuse or destroy the Constitution. However, he seems to indicate he will, but if he ever did, Section 4 – Disqualification– provides that *“The President ... of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors”,* assuming of course that the Constitution is still in effect during his presidency

Will the esteemed Members of the Press at least timidly react to the plainly authoritarian statement of the candidate? Two centuries ago, Napoleon the First crowned himself Emperor of the French, to the consternation and scandal of the civilized Press, who did not shy from expressing their outrage.

V

Putting aside the puzzling paradox that the candidate flaunts an undivided love for a country whose greatness he constantly insults and disparages despite the fact that it has never been stronger economically or militarily, it appears that he has scared a large section of the nation into believing that the citizens of the strongest, wealthiest, happiest, and also most admired country in the world have somehow been subdued into sudden economic annihilation at the hands of the famished Third World laborers who toil for pennies at manufacturing the widgets and trinkets of this rich society. He has advocated loudly an all-out Holy War in which all enemy civilians including children and infants must be slaughtered (a kind of policy that has been labeled ‘ethnic cleansing’ in other climes), and perhaps for that reason somehow succeeded in having so many in the country, this ancient bastion of Democracy, vociferously clamor for a new "Leader", a word that literally translates in other languages to “Führer”, “Duce”, or “Caudillo”. Is there one citizen in his right mind who ever thought, especially in time of peace, that the nation needed a Führer? The spirit of the Constitution is precisely to energetically avoid one.

To justify this title, and in the absence of a numerous personal militia, the Führer needs to convince the public that America is at war, by fabricating the horrors of Economic and Holy Wars killing at home numbers substantial enough to otherwise warrant the application of his martial law.

So far, the Economic War seems to have killed no one in this country, while the Holy War has claimed domestically an average of less than five lives in each of the last 15 years since 2001, about 1/10th of the number of people who die annually from being struck by lightning, and three percent of one percent of the number of victims of common murderers, whose faith, by the way, seems to be mostly Christian.

Psychotic scare is indeed the magic ingredient in the cookbook of any aspiring Führer, however innocuous he may prove to be in the end.

MMM

May 12 – May 28, 2016