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August 25, 2020: The Case for Trump

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Title: The Case for Trump

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8/25/2020--I have accused conservatives of a fixation on the courts when President Donald Trump represents a grave threat to constitutional government. I have found the continuing support for Trump impossible to understand.

Then Randy Barnett, the most thoughtful of American conservative constitutional theorists, wrote this tweet:

Aug 23

Replying to

@RandyEBarnett

and

@JonahDispatch

In the 2016 primary, for this and other reasons, I preferred another candidate. But I and others have been pleasantly surprised at the governance of his administration. Dismissing the relevance of this, or the likely administration of his opponent, seems wrong to me.

This helps explain a lot. In Barnett's view, you have to look at what the Trump Administration has actually done rather than the instincts of the President. Barnett calls the latter, the character issue.

In governance, Barnett presumably means things like the Iranian agreement and deregulation. He ignores the tax cut that led to higher deficits--deficits have never been his thing.

That latter issue also suggests that he is thinking of the contrast of Trump with a Democratic Administration. That Administration would threaten liberty in a more basic way than Trump does. For example, religious liberty, the right to bear arms and economic freedom--all fundamental issues for Barnett.

But, I still do not understand the structural blindness. Trump's instincts are not just a "character" issue in the personal morality sense, but a political character issue. He would prefer that the federal government only deal with governors who flatter and agree with him--VP Pence refused to do that in the case of the Governor of Michigan. He feels he has the right to tell the states how to conduct voting so that it benefits him. He asks a foreign government to investigate an American citizen. He suggests we delay the next election.

My problem with Trump is something I never even thought of with a President Bush. I'm not sure that if he is re-elected in 2020 that there will be an election in 2024. That is not something that Barnett has to worry about in the case of Biden and the Democrats.

Even if that is only a small risk, it is not a risk that any constitutional conservative has the right to take.

Maybe this depends on the importance of democracy versus certain forms of liberty. Could one

favor a benign dictatorship that protects liberty over a democratically elected despotism. Is that trade off at the heart of conservative willingness to overlook Trump's dictatorial tendencies?

Or is it, as Barnett suggested later, that my fear of dictatorship is simply a paranoid fantasy on my part that no conservative has to take seriously?