

## CAN MADISON TRUMP TRUMP?

*“Are we living in Nazi Germany?”*

—President Donald Trump

Legend has it that when General Cornwallis surrendered to the combined forces of the French and American soldiers at Yorktown in 1781 he ordered the military band to play “The World Turned Upside Down.” This march would have been appropriate music for the 23rd of June 2016 when, to the utter surprise of most political commentators and in contradiction to virtually all public opinion polls, the United Kingdom voted to exit the European Union. This vote, moreover, was a harbinger of arguably the even more shocking election of Donald Trump to the Presidency of the United States later that year. But should either event, however unexpected, have been such a great surprise?

What both bombshells have in common is that they signaled a profound distrust of government and dissatisfaction with the globalization *status quo* by vast numbers of alienated citizens who Donald Trump calls “the forgotten.” The ongoing celebration by elites of the wonders of liberal market globalization was challenged by nationalist politicians and rejected by voters who for years did not feel any positive results of an economic system that, to them, seemed designed primarily to further the interests of the world’s upper classes. In fact, most of the alienated felt significantly worse off than before the domination of this new global capitalist machine, and they worried about their future and the future of their children. This means that Brexit and Trump’s election signaled a massive rejection, in the West, of the contemporary globalization of Western, ideologically liberal-market values—a rejection that might be likened to a “politics of the middle finger.” The global intensification of ideologically liberal values arguably began with the neo-liberal (and neo-conservative) wave of the 1980s under Margaret Thatcher in Britain and Ronald Reagan in the United States, and it continued uninterrupted through the policies of Barack Obama. What occurred in 2016 has thus been simmering for a long time.

Opposition to globalization gained further strength with the sense that rising immigration was directly causing the economic plight and political woes of British and American citizens; that foreigners—including war refugees, many of whom were Muslim—were either benefiting from this economic system at the expense of full citizens, or migrating to the West to do terroristic harm. Both xenophobia and nationalism reached new heights and reflected a popular attitude that governments lacked the actual sovereignty to control not only their economic systems, but also their own borders. Nostalgia for a far better past, with roots in the neo-conserva-

tive defense of traditional values and “national” ways of life, reigned supreme. The United Kingdom in England and Wales seemed to long for a return to the grandeur of a mythical post-World War II supremacy that would come about by exiting the European Union, and Donald Trump promised disenchanted voters who attended his orchestrated rallies to “Make America Great Again.” Most of the rallies were attended by white Americans who had felt forgotten in the eight years of the presidency of Barack Obama, the first African American President of the United States. The politics of race in the United States is enormously complex, and Trump has support from people in several communities of color. But he has spoken most directly to white Americans, many of whom have experienced the disappearance of their sense of America. Progressive emphases on a changing, multicultural, and diverse America during the Obama era were rejected at the polls, while, as we have discussed above, nationalist-racialized criticisms of those said to be responsible for America’s decline were welcomed. Trump’s call to “Make American Great Again” resonated with a sense of resentment among many white Americans, indicating that questions of race and diversity in American politics remain central.

### Max Weber and Charismatic Leadership

Max Weber’s writings on charismatic leaders may be instructive background to understanding the Trump phenomenon. Weber borrows the concept of charisma with its notion of divine power from religious leaders like Moses, Jesus, and Muhammad, and he applies it to the secular realm. These political leaders claim special access to the truths of their followers and promise—by whatever means necessary—to make major changes to the *status quo* and to fulfill their followers’ desperate needs, heal deeply felt wounds, and wash away crippling fears. Charismatic leaders emerge in history to deal with extraordinary social ills, not the everyday hardships of life. Whereas normal governments and economies are grounded in the rule of law, reason, and stable norms, charismatic leaders emerge as “extraordinary,” “exemplary,” or “exceptional” personalities possessing virtually superhuman qualities and attributes. Because of these attributes, their promises to bring about major social changes are not constrained by tradition and are taken as deeply credible. Such leadership is neither rational, nor bureaucratic, nor rule of law oriented.

Consequently, governments (or movements) based on a charismatic leader are inherently unstable. The leader demonstrates extraordinary prowess to his or her followers; they perceive his or her prodigious talents, internalize his or her message, and agree to follow his or her demands. It is their duty, as disciples, to follow. Hero

worship and personality cult are the norm with such leaders. Emotional bonds, linked to the leader and between the members, hold the group tightly together. Their loyalty to the leader is highly dependent on the leader continuing to embody, and fulfill, their truths and collective destiny. That said, the followers are also in a very real sense the creators of the charismatic leader. At the point where the followers believe that the leader has betrayed them or can no longer fulfill the promises made, the followers will, in the main, abandon the leader whose charismatic authority will disappear.

In the case of Donald Trump, his “extraordinary” leadership qualities have been demonstrated through his own imaginative image creation and “branding” as a self-made multi-billionaire who knows how to make things great, especially how to make “great deals” to make himself and his family rich. He claims knowledge where others demonstrate what he calls incompetence—in every policy arena, especially the economy, immigration, and policies related to Islamist theopolitical movements. In addition, part of Trump’s zealous appeal among his followers is his apparent authenticity. To borrow a saying from American sports, “he calls ‘em like he sees ‘em.” And in the current right wing *zeitgeist* in the United States (and Western Europe), with the rising fears and resentment over immigration, global terrorism, and middle class economic deterioration, Trump’s bombastic rhetoric resonates with disenchanting people looking for a seemingly honest politician with simple solutions to life’s deepest concerns. Furthermore, his extreme rhetoric echoes, as we have said, how many Americans speak when they are outside polite company, making the “extreme” quite commonplace. This leads many of his supporters to see him as very human and to forgive his flaws, especially his sexist objectification of women, in favor of trusting his extraordinary capacities and intentions to resolve the country’s problems, as they see them. Lastly, his example of egotistical market individualism, combined with his message of “Make America Great Again,” has a profound, historic, and widespread Lockean ideological basis that resonates among American voters.

Trump’s election campaign and subsequent actions have perplexed intellectuals and political observers who try to make sense of him through the paradigm of liberal-democracy. But as Weber explains, while a charismatic leader might be able to function in a liberal democracy, they are usually creations of other ideological schemes. If we follow Weber, and look at Trump as a distinct form of fascism—*American Fascism*—then his words and actions make sense. (Some observers have criticized Trump for being “a fascist,” using the concept as a derogatory label without much ideological analytical content—a common political deployment of the term, as we indicated at the beginning of this chapter.) Recalling the central ideological characteristics of Italian fascism invented and determined by Benito

Mussolini, some of those characteristics apply to Trump, others do not. This, of course, makes sense in terms of fascism. If the autonomy and uniqueness of the nation-state is among the most critical components of fascism, then any fascist leader will reflect the distinctive cultural and historic characteristics of the nation they lead. Where Mussolini fought against both liberalism and communism as opponents of fascism, Trump could not even conceive of the need to do so, since the United States has never had a significant and genuine left wing movement, and liberalism, through the market society, continues to be the bedrock of the culture.

Free market Lockean liberalism remains the ideological foundation upon which politics in the United States rests. Trump's message appeals to the individualistic liberal's sense of securing their "natural rights" to economic and political "freedom" in the safety and security of their "society." Recall that Locke's naturally free individuals entered society to avoid descending into a state of war. For many, that state of war has returned. Jobs and lives are being stolen by oppressive forces—terrorists, the illegal immigrant, "China," incompetent "establishment" politicians, and "Washington elites." The government has failed to ensure the rights of its citizens and the safety of society, and voters have selected the quintessential individualistic liberal to save them—an essentially proud, property-rich, and self-centered man who epitomizes freedom from constraints. Whenever he is asked to observe "politically correct" norms of political speech or to do something he does not want to do, he shoots back to defend his freedom to speak and do as he wishes. A prominent example is his refusal to reveal information about his tax returns—which may be understood as information about his *private property*. As such, Trump represents the renewal of a kind of freedom that allows each individual citizen to feel as if their lives are unhindered by the oppressive constraints of illegitimate powers. His fascistic calls to "Make the Nation"—he capitalizes the N—"Great Again" are layered upon this basic Lockean template, as it must be for it to be successful in an individualistic liberal society like the United States.

This liberal ideological base means that Trump will not have exactly the same overwhelmingly organic conception of the state as Mussolini: Locke and the American founders were too enamored with reason and a mechanistic view of the state. But as his Inaugural Address demonstrates, the organic conceptualization of "the Nation" has become part of his ideology. "We are one Nation," he declared; "We share one heart, one home, one glorious destiny." And, "When America is united, America is totally unstoppable." Trump's America is a living organism that must be united to thrive. Internal divisions create weaknesses that must be overcome, since "we all bleed the same red blood of patriots." A constantly striving nation against forces that seek to contain or limit its potential is natural for any living organism: "In America, we understand that a nation is only living as long as it is striving;" thus

his dismissal of “politicians who are all talk and no action, constantly complaining but never doing anything about it. The time for empty talk is over. Now arrives the hour of action.” America strives to reach its greatness, protected by its military and law enforcement, and most importantly, “it will be protected by God.” In short, Trump promotes divinely-inspired, organic conceptions of the state and nation, along with a constant emphasis on action over reflection—all typical ideological characteristics of fascism.

The Inaugural speech should be watched, not simply read. Watching it conveys its strident, assertive, combative tone far more clearly—President Trump triumphantly concludes the speech exalting the righteousness of his cause with his fist in the air. Indeed, direct and dramatic communication with followers is critical to fascism as well. As we have emphasized above, the linkage between the leader and followers is far more than an intellectual exercise in an exchange of ideas. Rather, it is emotional: the leader *feels* and expresses what his or her followers want and need, and it allows the leader simultaneously to shape those very desires. Donald Trump claims to be “just the messenger” of a “movement,” a typical fascistic false humility spoken to conceal the power the leader exercises emotively in shaping fundamentally what his followers believe politically—their *truths*.

In this context, one must note Trump’s use of contemporary media. While both *Der Fuhrer* and *Il Duce* had close, emotional relationships with their followers that gave them enormous political power, both would have given anything to be able to have immediate access to them using the contemporary social technology available to Trump. The master of Twitter—the “Tweeter-in-Chief”—Trump deftly employs this personal link to his people to inform them of truth and warn them of falsehood. Twitter is an exceptionally powerful communication technique—short and simple. It allows Trump direct access to people, meaning that he does not need the press or any form of the media to be heard. At any moment of the day or night, Trump can hold forth and create reality, while he informs and directs his followers, who respond as active Twitterzins by like-clicking their support on red heart-shaped icons—a virtual rally of love involving thousands within minutes.

In such communicative practices, a fascist leader makes himself or herself the *embodiment* of what is true and right for the people as a nation and for their nation-state. He or she is mysteriously called forth by the challenges of the historic moment and rises by unconventional means to hold power. The leader literally creates and speaks the truth. The leader cannot err, while those opposing the leader always err. At his nomination speech during the July 2016 Republican Convention, he professed: “I alone can fix [the country.]” During the presidential debates, Trump and his supporters repeatedly called his challengers liars—here, meaning those who do not speak the truth of and for the nation—even dub-

bing the democratic nominee “Crooked Hillary.” The day after his inauguration, Trump and his media advisers sought to weaken the credibility of both the press and the entire professional intelligence gathering apparatus of the United States, the former by casting those who explore questions they do not want to answer as “the opposition,” the latter by charging critics within “the establishment” with “disloyalty.” Other forms of dissent or critique are labeled as ridiculous or pathetic. Such charges not only strip the press and the administration’s critics of legitimacy and the possibility of checking Trump’s leadership. They also establish and reinforce Trump as the sole source of “truth.” A fascistic leadership dynamic is thus implicit at work in the everyday politics of the United States. Truth is whatever the leader proclaims it to be. In October 2016, *The Washington Post* published an online article titled, “19 things Donald Trump knows better than anyone else, according to Donald Trump.” The topics covered ranged from money, taxes, and banking, to politicians, the military, and ISIS—with Trump unabashedly asserting “I know more about ISIS than the generals do.”<sup>35</sup>

This monopoly control of truth enables Donald Trump to identify “alternative facts,” when reality does not conform to his view, as well as “fake” or “phony” news, history, reports, media, and any other forms of communication he wishes to dismiss. Examples following his inauguration include his assertions that the Inauguration crowd was the largest assembly ever for such an occasion and that he won the popular vote due to voter fraud of epic proportions. So pervasive has this approach to reality become that *The Oxford Dictionary* added the term “post-truth” to its word list as the “2016 international new word of the year.” Under Trump’s epistemological reality, the need for *political literacy* discussed throughout this book, becomes of increasing import to the future of the United States polity, along with other societies experiencing a similar fascistic upsurge. The relevance of political literacy here lies in its endorsement of the possibility of multiple and alternative, not singular, accounts of political reality, and the need to engage in robust conversation about which are more or less compelling. Trump’s will to determine the truth about “basic facts,” including history, dangerously aligns broader Trumpian politics with forms of totalitarian ideologies, as we have discussed above. Recall that for Hannah Arendt, “all ideologies have totalitarian dimensions”—it is the tendency of all ideologies to shape the senses of their followers, such that they read the elemental phenomena of the world in singular terms. Whereas fascists see human beings as organically connected members of Nations and history as a contest in which each nation vies for supremacy, liberals see human beings as individuals and history as a process of rational progress in which the realm of individual

<sup>35</sup><https://www.washingtonpost.com/news/the-fix/wp/2016/10/04/17-issues-that-donald-trump-knows-better-than-anyone-else-according-to-donald-trump>.

rights is increasingly expanded. Marxists view human beings as species beings, and so on. Each ideology shapes the sensual and social perceptions of their followers. The debate over what “the facts” are, and the determination of the Trump administration to insist on an uncontestedly true account of them—the leader’s account—exemplifies this totalitarian quality, now exhibited in American fascistic insistence on what is true and false, great and disastrous, for the American Nation, as expressed by The Leader, Donald Trump.

A fascist leader’s truth is enforced throughout a fascist hierarchy. Although there is an elite/mass distinction inside of fascism, the leader exists superior to his “lieutenants,” within the “elite.” In this case, it would mean Trump’s cabinet and advisors. Ultimately, the leader will not hesitate to disagree with his own elites since he alone determines and possesses the truth. Most often those sub-chiefs will carry out the will of the nation as the leader has expressed it. In addition, logical consistency on the part of the leader will not stand in the way of informing the people of the truth and bringing about radical change. In fascism, there is no need for rational “consistency” or “objective truth” as conceptualized in both liberalism, which emphasizes the rationality of free individuals, and Marxism, which promotes class consciousness based on a critical, dialectical analysis of capitalism’s contradictions. Analysis, debate, and rational deliberation are ruled out in favor of a combative politics of belief. Those who oppose the truth are mocked, humiliated, and ridiculed. This recourse to the politics of derision displays the leader’s preference for emotionally charged attacks over deliberation and reflection. Donald Trump views politics as war where opponents fight, hit, and aim to destroy each other. He has the skills to deliver wounding rhetorical jabs and punches, making his prior experience in television better preparation for this kind of politics than a career in the military, wherein rational reflection is highly privileged over rash action.

Fascists believe that myths are what move people. The current myth is that Trump, and Trump alone, can “Make America Great Again.” As this myth becomes actualized, it simultaneously establishes itself as the truth. In his Inaugural Address Trump proclaimed that his swearing in ceremony was historic because from “this moment” on, “the forgotten” will no longer be forgotten. He marked the date: “January 20, 2017 will be remembered as the day the people became the rulers of this nation again.” He then pledged “I will fight for you with every breath in my body, and I will never, ever let you down.” This means the people are sovereign, and Trump as leader knows what they want and need. His body is dedicated to the nation’s body. An ideal, sort of direct, fascist democracy of “government for the people, by the people” as represented by the leader will be the new reality. Recall that Mussolini considered fascism real democracy. For Trump and his supporters, this is what is taking place: Through social media, Trump goes directly to “the

people,” eliminating the middle men/women (Senators, Congressmen/women, Governors, Mayors), and thereby creating an efficient, popular, and democratic political system.

In fascism, going to the people for economic policy means involving the government directly in the national economy to promote national prosperity. As we have seen, fascism offers *corporatism* as a “third (economic) way,” or alternative, to communism and free market liberalism. Trump’s early policies have deep corporatist aspects, combined with classical *laissez faire* emphases of liberalism, neo-liberalism, and American political conservatism. Trump rose to power in part by forcefully addressing the real, felt consequences of globalization based on capitalism and free trade. While free trade benefited the upper classes, little if anything positive trickled down to the many. In fact, many Americans perceived that their economic plight and struggles were due in large measure to the exodus of jobs to foreign countries and the influx of cheap, often “illegal” labor. Combining the formidable forces of patriotism with xenophobia, Trump promised to build an impenetrable wall, paid for by Mexico, to keep the cheap labor out and to revise the tax code to force companies to remain in the country. In his national-corporatist vision of economics, there is no clear public/private distinction: government, corporate leaders and cooperative labor organizations will work hand-in-hand to ensure economic prosperity for the great nation—an approach that stands in stark contrast to most contemporary political conservatives who want to keep the state out of the economy as much as possible. Trump, by contrast, seeks to negotiate directly with corporate CEOs to cut a deal. If they do not want to create jobs in the US their firm will be punished. Where President Dwight Eisenhower warned Americans about the threat to democracy posed by “the military-industrial complex,” President Trump has decided to bring these very players—billionaires and generals—directly into the executive branch to set policy. At the same time, Trump is supporting a *lassie faire* agenda by promising lower income taxes and a massive “de-regulation” effort. In these ways, his plans for national economic growth—“to make America wealthy again”—resemble the discredited “trickle-down” policies of the 1980s.

Moreover, defying the conventional liberal democratic expectations of separating private economic interests from public service, Trump has refused to divest himself from his own vast holdings. He has placed control of his economic empire in his sons’ hands rather than following the tradition of establishing a blind trust. Those accustomed to liberal-democratic norms of the rule of law based upon a full distinction between private interests and those of the government are both skeptical and critical of his actions. But Trump, as both a charismatic leader and a

fascist, will neither conceptualize reality in this manner nor conform to the wishes of ideologically liberal traditionalists.

Fascism further endorses and celebrates violence as an expression of the strength and autonomy of the nation-state and the leader as the embodiment of that body. As described earlier, Trump is constantly insisting on the value of “strength” and a readiness to use threats and violence to restore the greatness of America. He campaigned by employing violent images, examples, and stories to present himself as a strong and powerful leader, a fighter, willing to go to whatever lengths needed to “make America great again.” On the campaign trail, he often expressed positive attitudes toward those he considers full Americans and demonstrated negative attitudes toward those he considers non-Americans, particularly in racist statements and policy proposals about Mexicans and Muslims. He regularly inserts his own body and being into this mix, pledging to fight and display strength so that, as he said at his inauguration, “America will start winning again. Winning like never before.”

To the fascist characteristics related to mythmaking and violence, we may add Trump’s known attitudes toward women. With a demonstrated history of objectifying and demeaning particular women with vulgar language like “pig,” “slob,” and “disgusting animal,” and his bragging on record about sexual assault, he engages in pure mythmaking by claiming that “no one respects women more than” he does. His blunt denials subtly reinforce what he promotes politically, namely his readiness to respond dismissively and aggressively with violence—in language or practice—against those whom he deems unworthy, usually because they have criticized or questioned him. In his “past” personal life, he used his physical force on women—again, on his own testimony – particularly those who resisted his advances. In his campaign and policy promises, he expresses a readiness to use force against all those who resist or protest him, his “movement,” or America—which, for the leader, are one and the same. His capacity to be brutally blunt in language and behavior are known and supported by his true followers seeking revenge for violent attacks upon the nation.

Trump’s support and rise to the American presidency thus derives from a perception that he has successfully created that he is the person to lead a movement, as he calls it, of those who have been forgotten. It must be underscored that, for those enthralled in the movement, this represents a new historic moment of hope and possibility. For them, fascism is not only “friendly,” as Bertram Gross once characterized this sense of hope, in his classic 1980 study of American fascism.<sup>36</sup> Fascism is lovable, beautiful, righteous and embraceable. It creates a sense

<sup>36</sup>Bertram Gross, *Friendly Fascism: The New Face of Power in America* (Cambridge, MA: South End Press, 1980).

of excitement, even exhilaration, that the nation is finally being led properly, and the expectation that the future will be better. Thus while Trump is misunderstood or criticized heavily from other ideological perspectives, there is real excitement and anticipation among his supporters about a revival of “American national greatness.” For them, America is a great nation of laws that is striving for prosperity and stability in a world of conflict with evil forces – “terror [“Muslim”] nations,” border crossing “rapists and murderers” and job “thieves,” and “traitorous” companies. It’s now “America first”—the rightist slogan, laden with World War II racist and pro-Hitler resonances, that Trump has proudly adopted and pronounced as fitting for his policy pursuits. For Trump’s supporters, it *feels right* not to be forgotten by corrupt politicians (“Obama” and “Hillary”) who “founded ISIS” and did nothing to protect us, and even less to ensure that the nation remained great.

### James Madison: “A Machine That Would Go of Itself”

It may be more than ironic that James Madison, the “father of the constitution,” helped to create a political system where the presidential candidate with the most popular votes does not automatically become president; and yet, he simultaneously constructed a political system designed to thwart the actions of tyrannical political leaders regardless of their path to office. Many people around the world believe that the latter of these observations raises *the* critical question facing the United States today: Can Madison trump Trump?

The fantastic notion of a “post-truth” political universe can be seen in the ongoing myth creation over Trump’s electoral success. Most supporters of President Trump, in spite of the evidence, continue to pronounce that he was democratically elected to office, when he clearly was not, according to any reasonable conception of liberal *democracy*. Trump himself seems obsessed with this blemish on his victory as he orders investigations into massive voter fraud that he alone recognizes. To be clear, Trump’s election was lawful. He is the legitimate President under the Constitution (unless, it can be shown that his campaign violated electoral laws, as is being investigated at the time of this writing in relation to contacts with Russia). Nevertheless, his election remains *undemocratic* since his opponent, Hillary Clinton, won the popular vote by close to three million ballots. It can be argued that the end result of Trump’s election reflected perfectly the intentions of Madison’s design: Madison knew he was establishing a Republican form of government that throughout his life remained distinctly not democratic.

As we hope you recall from Chapter Three, in his final contribution to *Federalist #39*, Madison singled out that the central difference between the new American

republic and all prior ones “lies in the total exclusion of the people *in their collective capacity*.”<sup>37</sup> By this he meant that “the people” never act as a single whole, as “Americans” *per se*. Given Madison’s deep-seated fears of factions and majority tyranny detailed in *Federalist #10*, this anti-majoritarian feature made sense to him. Citizens would act as individual members of a state or a local political unit, but not as a collective whole where the majority could directly exert its power. This structure, as Madison designed it, has had enormous implications for any meaningful concept of majority rule in the United States. And as we have just witnessed during the last presidential election, when one-third of the Senate and the entire House was up for election, citizens voted as members of a congressional district and from a particular state – where the state becomes a “district” – *not* as citizens of the United States, where the entire United States becomes the district. Following the rules of the Electoral College, the person who received the majority of all votes cast by citizens was not elected President. To win a presidential election, one must win the Electoral College, where the value of the electoral vote differs from state to state. This requires winning strategically significant states (“districts,” like Pennsylvania, Michigan, etc.), not the majority of all votes cast.

Recognizing this as but one of the most positive anti-democratic features of the new Constitution, Madison went to considerable lengths to explain further his classical liberal philosophic position behind the new form of government. He conceptualized the fundamental political problem facing the new nation thus: “In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place, oblige it to control itself.”<sup>38</sup> Madison’s words sum up two central dilemmas of the individualistic liberal tradition, prior to its becoming democratic: (1) how to govern individuals who, given their selfish nature, must be controlled; and (2) how to do so without either monarchy or anarchy, since the government is itself, after all, comprised of such self-interested individuals.

Madison boasted that the Constitution’s framework provided measures that could both check tyrannical tendencies as well as, albeit slowly, ultimately allow the public good to be achieved. The keys to stable, republican government resided “in the extent and proper structure of the Union” which Madison described as “a Republican remedy for the diseases most incident to Republican Government.”<sup>39</sup> In his contributions to the *The Federalist*, Madison identified six specific political

<sup>37</sup>James Madison, *The Federalist*, Jacob E. Cooke, ed. (Middletown, CT: Wesleyan University Press, 1961) p. 428; Madison’s emphasis.

<sup>38</sup>*The Federalist* p. 349.

<sup>39</sup>*The Federalist*, p. 65.

constructs contained in the new system that, without relying on the good will of any person, could provide such “remedies”: (1) an extended republic; (2) government of enumerated powers; (3) representation by trustees; (4) checks and balances; (5) the super-majority amendment process; and (6), federalism. We have discussed these above; let us review each very briefly in the contemporary context.

The first and novel feature was the sheer size of The United States. Prior to 1787, the assumption in political theory was that good government could be created only over a limited size territory. Standing this notion on its head, Madison wrote in *Federalist 10*: “Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other.”<sup>40</sup> In Madison’s day this constituted an important checking feature to despotic tendencies. This is no longer the case. Technological advances in communication and travel make the enormous territory of the United States relatively insignificant as a check on tyranny. Indeed, candidate-cum-President Trump deftly employs Twitter, as well as other forms of social media, to stay in virtual, constant contact with his followers, and therein has a powerful political force at his control. That said, some of Madison’s other devices do remain powerful bulwarks against despotism. There is one feature, however, that even in Madison’s own time, did not stand up to a constantly changing political reality and opened the door to the creation of the modern, positive state.

At the time of *The Federalist*, Madison believed that the new Constitution rested on a concept of governmental powers being explicitly “*enumerated*” in the Constitution itself. This meant that the Constitution spelled out what specific powers the government could exercise and, perhaps more importantly, what powers it could not exercise. Madison, as well as Thomas Jefferson, offered a rather strict construction of limited powers that the central government could exercise, but their interpretation was overruled by President George Washington when he accepted Alexander Hamilton’s arguments in favor of a national bank. At that time Secretary of the Treasury, Hamilton successfully maintained that the creation of a national bank was indeed constitutional given his conceptualization of *implied*, or *inherent* powers. By that, Hamilton claimed that certain powers are inherent to the very idea government even if they are not stated explicitly in the Constitution. These powers are “necessary and proper” to governing.<sup>41</sup> And, so long as the end desired

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<sup>40</sup>*The Federalist*, p. 64.

<sup>41</sup>*Constitution of 1787, Article 1, Section 8.*

by the proposed legislation could be found in the Constitution, and the means to achieve that end were neither prohibited in the Constitution, nor immoral, the law would be legitimate. Clearly, this notion widely expanded the potential power of government in Madison's own time and will certainly be used by President Trump to expand his power. Still, Madison's system contains a powerful arsenal of other weapons that can be employed to thwart oppressive government.

Madison's trustee model of representation continues to be among the most powerful of these checks. In today's world the representative's primary role is to be the transmitter of majority opinion; the reflector of the wishes of the constituents. At times, however, we also expect that person to assume the role of statesperson (the trustee) and to ignore constituent wishes if those wishes are believed to be wrong. It is in the performance of this role that one can write about "profiles in courage," where a representative suffers electoral defeat as the result of a principled stand taken against the wishes of his or her constituents. In the Madisonian scheme the representative is specifically designed to function at all times in the trustee role, providing a check against majority tyranny by discerning "the true interest" and "public good" of "their country."<sup>42</sup> Madison explicitly writes: "The effect of the first difference [representation] is, on the one hand to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice, will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice pronounced by the representatives of the people, will be more consonant to the public good, than if pronounced by the people themselves."<sup>43</sup> This means Madison would expect elected politicians to vote or take action against Trump whenever they think his proposals are against the public good (and support him when they think his proposals are consistent with it).

Institutional checks and balances, when supplemented with Madison's conception of representation, are additional powerful obstacles for a tyrant to overcome. To recall, the legislative branch has two houses with each possessing separate and shared powers and responsibilities. To pass legislation, both chambers must agree exactly on the new policy. A legislative system clearly designed to "vote no," to not pass policy and thereby maintain the *status quo*, also makes positive policy creation difficult for Presidents. Although Republicans have majority control of both the

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<sup>42</sup>See John F. Kennedy, *Profiles in Courage* (New York: Harper Brothers, 1956). It was awarded the Pulitzer Prize in 1957. See John F. Kennedy, *Profiles in Courage*, (New York: Harper Brothers, 1956). It was awarded the Pulitzer Prize in 1957.

<sup>43</sup>*The Federalist*, p. 62.

House and the Senate after the 2016 elections, if a mere handful of Republicans, on any given issue(s) decide to adopt a Madisonian perspective of representation for the greater good of the country by resisting Trump, he will find it impossible to bring about radical change with the support of the political system.

The Supreme Court, arguably no longer the “least dangerous branch,” could provide another powerful check on President Trump. Even though Trump will have the immediate opportunity to shape the court with a replacement for late Justice Antonin Scalia, the Supreme Court has a long tradition of following precedent that, if maintained, could be an additional check on radical change. It may be instructive, moreover to recall that, in 1953, President Dwight D. Eisenhower appointed Earl Warren, a former three-term Republican Governor of California with traditional Republican values, to be the 14<sup>th</sup> Chief Justice of the Supreme Court. After swiftly being approved by the Senate and much to the chagrin of Eisenhower and other conservatives, Warren presided over arguably one of the most liberal Supreme Courts in American history.

To alter the Constitution, moreover, requires running the amendment gauntlet that requires supermajority actions to succeed. Thirty-three amendments have been proposed to the Constitution but only twenty-seven have passed: the votes required for passage are far more than a majority. To amend the constitution requires that two thirds of both the House of Representatives and the Senate agree to an amendment, and that three quarters of the states, through their legislative systems or through conventions called in each state to vote on the amendment, also agree to the amendment. Clearly this method of rewriting the Constitution creates an enormous impediment to radical change. It makes quick change almost impossible and is designed to maintain the *status quo*.

Madison altered his views on the value of federalism to stable government during his political life. At the time of the Constitutional Convention, Madison feared that state governments were too democratic and needed to be checked by a strong central state. However, when Thomas Jefferson helped convince Madison that George Washington, Alexander Hamilton, and eventually John Adams were in fact becoming tyrannical, Madison—among the first political theorists to appreciate fully the power of public opinion—argued for active “citizen-sentinels” to mobilize interests in the states to challenge the power of the central government. In 1791, writing in a partisan political newspaper called *The National Gazette*, Madison asserted that, “In Europe, charters of liberty have been granted by power. America has set the example... of charters of power granted by liberty.” Power and liberty, to Madison, are not an either/or choice. They are always combined in politics and finding the appropriate balance was the key to good government. Fearing a per-

ceived increase in illegitimate power on the part of the central government, Madison called on enlightened “citizen-sentinels” to check the encroachments on liberty through public opinion and ensure the protection of the state government of their rights and liberties. He closed his essay, “Charters,” admonishing his readers that “Liberty and order will never be *perfectly* safe, until the trespass on the constitutional provisions for either, shall be felt with the same keenness that resents an invasion of the dearest rights; until every citizen shall be an Argus to espy, and an Aegeon to avenge, the unhallowed deed.”<sup>44</sup> One week into his Administration, President Trump issued divisive and controversial executive orders on immigration and refugees, prompting citizens to vigorously protest. Mayors vowed to resist Trump’s proposals to destroy sanctuary cities, and federal courts issued stays to block the implementation. These actions would be in accord with Madison’s advice. And so, the question remains, Can Madison trump Trump?

We think so. Recalling Weber, charismatic leaders and liberal-democratic states rule by antithetical means. Over time, Madison’s republican system slowly adopted itself to becoming more democratic although it still embraces undemocratic features like the Electoral College, the Senate (where demographically unequal states like Wyoming and California each have two Senators), and the Amendment Process. The future promises to be a test of Herculean wills: Charismatic Trump versus Madison’s system. Weber maintained that charismatic leaders eventually have to “routinize” their behavior by adapting to the rational, rule of law, political reality in order to succeed in the long run. Failure to do so, Weber predicted, will spell their demise as their followers abandon them. If Trump is willing to adapt, he may succeed as President. However, if he fails to compromise and adjust to Madison’s brilliantly designed system, Madison will indeed trump Trump. This means one of three things will probably happen: (1) Trump will be an unsuccessful one term President; (2) he will be impeached; or (3), he will resign, either to avoid impeachment or to show his contempt for a political system that blocked his ability to please his followers.

Whatever these political consequences, President Donald J. Trump has brought fascistic norms and behavior from the margins of the United States to the center, along with a far-right, reactionary agenda that many throughout the United States and the world view as threatening. This *ideological shift* alone has generated much controversy. His inauguration and first days in office were met with huge protests in solidarity with those most adversely affected by Trump’s promised immigration

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<sup>44</sup>Quoted in Richard Matthews, *If Men Were Angels: James Madison & the Heartless Empire of Reason*, (University Press of Kansas, 1995), p. 215.

policies and anticipated Supreme Court appointments, and there is a great deal of international anxiety over the nationalist shifts in US foreign policy Trump has signaled. These include support for far right wing movements throughout the European Union, a new alliance with Russia, and new conflict-engendering policies with those perceived as America's political, economic, or existential enemies. In the early stages of the Trump presidency, many in the United States and throughout the world anxiously await the consequences of this dramatic shift to the right.

### CONVERSATION QUESTIONS

1. In what ways does Mussolini alter political discourse on individual fulfillment and democracy?
2. How do Mussolini's concepts of will and leadership differ from Mao Zedong's?
3. What is it about violence that makes it so appealing to fascism, and, in fascism's view, so convincing to its enemies?
4. How would you evaluate the relationship between nation and race in fascist ideology?

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