NORTH AMERICA 17.09.2020 | Branko Marcetic

Trump's executive orders are covering his left and right flanks

Worringly, Trump's is moving further left to keep Americans from losing their homes during a crisis than Obama did

Faced with stacking national crises and a do-nothing Congress that went on holiday just as 30–40 million Americans looked like they could lose their homes, Donald Trump has engaged in that most storied tradition of American presidents: issuing a flurry of executive orders to get around the United States' malfunctioning political system. And both the Left and anyone else with any interest in seeing Trumpism defeated have reason to worry about it.

The first reason to worry is the deeply illiberal nature of his 'anarchist jurisdiction' order, which essentially tries to blackmail blue states into cracking down on the ongoing historic protests against police violence. (In what has become a hallmark of the Trump era, both anti-Trump liberals and the pro-Trump right seem to live in the same alternate universe where Democratic officials haven't alreadybeendoing that from the start).

As the coronavirus pandemic rages through the country and we enter what may be the worst economic crisis since the Great Depression, Trump is threatening to withhold desperately needed federal funds from states and cities that are either: refusing to send police to quash protests; 'disempower[ing] or defund[ing] police departments'; resisting Trump's offers to send his own forces to do the job; or for 'any other related factors the Attorney General deems appropriate.'

This is a twofer for Trump: he gets to appeal to his base (and no one else) and posture as the law-and-order, tough-on-protesters candidate; and he gets to punish his Democratic adversaries, or, more accurately, millions of ordinary people who happen to live in states that reliably vote blue.

Trump's drift towards political repression

This is obviously alarming, particularly with Trump opening the door to let William Barr, probably the single most dangerous person in his administration, starve cities of federal money for completely manufactured reasons. The order has met immediate resistance from Democratic officials, and will be tied up, if not swiftly defeated, in court.

But it's another sign of the Trump administration's accelerating drift toward political repression and a possible preview of the creative ways he may use executive power to that end if he's reelected — something we knew was coming ever since we found out John Yoo, the legal architect of George W. Bush's torture regime, was whispering in Trump's ear.

Trump is further shoring up his base in advance of November's election by firing two shots in the culture war. The first was an executive order forcing federal agencies to find and cut funding for Robin DiAngelo-style diversity or anti-racist trainings that involve ideas like 'white privilege' and 'critical race theory'; the second, more serious one was a tweet claiming that the Department of Education is investigating and potentially defunding California schools over integrating the *New York Times*' 1619 Project into their curriculums. As always, though, it remains to be seen whether this is anything beyond just a tweet.

Trump's left flank should worry progressives

Left-leaning Americans have reason to worry about Trump's other recent executive orders, too, aimed at giving Americans' much-needed economic security. As I've argued before, though Biden is still enjoying a sizable lead over Trump, it's far from certain the president is going to lose.

Years of bipartisan abuse of the post office and pre-existing issues with voting by mail could see hundreds of thousands, if not millions, of mail-in ballots disqualified come November (most of which will be cast by Democrats), while the ongoing eviction crisis and longstanding GOP voter suppression efforts will only throw the voting process into more chaos.

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Couple that with the fact that Biden has been steadily losing ground in the polls since early last month, particularly in key battleground states, and everything, big and little, has the potential

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to sway the race.

That includes Trump's recent series of executive orders, aimed at alleviating the 'Covidepression'-related suffering. Some of this is just the GOP's typical Reaganomic litany, like Trump's order to defer payroll taxes for federal employees until January next year, thereby both defunding Social Security and giving the illusion of meaningful economic stimulus (one that won't even extend to private-sector workers anyway).

But some of it is actually halfway decent, like his orders extending federal student loan deferral through the end of the year (since the deferral secured in the CARES Act is due to run out the end of September) and restarting extended unemployment benefits that expired in July, by diverting money from FEMA's disaster relief fund.

Trump, not Congress, prevents evictions

And now, Trump's issued the most far-reaching eviction protection measure yet, imposing a moratorium on residential evictions through the end of the year. With Congress deciding to take a breather while families and elderly people are thrown out on the street, Trump has directed the Centers for Disease Control (CDC) to use the authority granted to it under the 1944 Public Health Service Act to prevent the spread of disease.

It's a creative and vital use of state power that will make a measurable impact on people's lives, coming as Democrats and Republicans in Congress have abdicated their responsibility to the public and left Americans to sink or swim by the grace of god.

Let's be clear: all of these measures still fall far short of what this moment calls for. The student loan order does nothing for the significant number of private borrowers and will eventually run out (and is vastly inferior to simple debt forgiveness), while the extended unemployment insurance is smaller than its earlier incarnation, will last for only about six weeks, and is being rolled out far too slowly.

Even the eviction moratorium has gaping holes: under its terms, tenants could end up on the hook for a massive lump sum of back rent once it runs out, landlords can still charge fees and interest, and there's little stopping landlords and judges from ignoring the order.
But with all its inadequacies and lateness, this is still a demonstrative

show of state power meant to shield Americans from economic misery. While it doesn't necessarily mean that Trump is *actually* taking this crisis seriously — you can easily see him winning reelection, then losing interest and promptly abandoning his people like Congress did — it does confirm he understands the need to at least *seem* like he's taking it seriously to win reelection.

More to the point, like the proverbial friends trying to outrun a bear, Trump only needs to stay a step ahead of his opponents, who, unfortunately, are Joe Biden and a collection of moderate Democrats who seem congenitally averse to running on anything resembling the party's New Deal tradition, let alone anything more radical.

Trump's socialism

Despite mentioning it off-handedly in interviews at the start of the lockdown, Biden hasn't made an eviction moratorium a part of his official platform. He's stopped just short, calling for rent forgiveness in May and outlining a vague emergency housing package in August that consisted almost entirely of the phrase 'enact[ing] a broad emergency housing support program for renters, just as we would in the aftermath of a natural disaster.'

Trump's measure doesn't just outflank Biden on the Left, but is several degrees bolder than Barack Obama's response to the 2008 financial crisis. Obama presided over millions of foreclosures by the end of his two terms, with 9.3 million families losing their homes between 2006 and 2014 and more than 5 million over his two terms alone, what the People's Policy Project termed 'the greatest destruction of middle-class wealth since the Great Depression.'

If the Republican president is using state power the way a socialist might, then a real FDR-style president would one-up him with even bolder measures to meet the scale of this crisis.

This happened because Obama failed to properly mobilize the vast power of the American presidency: he neither went after Wall Street criminality, for instance, rife when it came to robbing people of their houses, nor pursued 'cramdown' (letting bankruptcy judges reduce mortgages), afraid it would weaken the banks, whose profits were his top priority.

The result is that Trump just 'out-socialisted' both Obama and his successor. As one tenants rights activist told Rebecca Burns: 'While the CDC's order is just kicking the can down the road, it's frightening that Trump seems to be kicking it more effectively than most Democratic

officials.'

What does that mean for the Democrats?

In fact, the surest sign Trump has actually done something right is the whinging about his latest order from corporatist Republicans, who complain that he's stretching the legal authority in the 1944 law in order to protect working people, and envisioning all the other, similarly terrifying ways a president could actually work for the public if this is allowed to stand.

'If the CDC has the authority to force landlords to effectively give away their product for free, I don't know where that ends,' Sen. Pat Toomey (R-PA) told *Reason*. 'Can General Motors be forced to give people cars unless they otherwise crowd into subways?'

Trump has a narrow path to victory, and this may not ultimately make the difference. But the assumption that it's too late for Trump to turn things around through bold executive action, and that the Democrats can safely tread water and simply rerun Hillary Clinton's failed 2016 campaign as long as this chaos continues, is a dangerous gamble.

The good news is, if that gamble does pay off for the Democrats, they and Biden have little reason to act as timidly as Obama did — a strategic blunder that not only contributed to Clinton missing her shot at the presidency, but led directly to the rise of Trump in the first place.

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As Toomey himself noted: 'What future administration, what future president, certainly what future Democratic president is going to want to be accused of being less generous than Donald Trump?'

This article was originally published in Jacobin.



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