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## *Aristocracy, Oligarchy, and Donald Trump: The Age of Distrust*

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*History doesn't repeat itself, but it often rhymes*  
—Mark Twain

In a previous essay, I set out the thinking of political philosophers in the ancient Mediterranean concerning the differences between what they termed aristocracy and what they termed oligarchy. These thinkers defined the characteristics of these political regimes, and gave them the names we still use for them: both “aristocracy” and “oligarchy” derive from this ancient political conversation. Writers from Plato (380 BCE) to Polybius (150 BCE) to Sallust (40 BCE) described aristocracy as rule by the few, but in the name of the general populace, and sincerely in their interest. Oligarchy was by contrast its evil twin: rule by the few but driven only by the oligarchs’ unrestrained appetites, with no thought for the good of the people.

Unrestrained appetite was the key. The appetites of the oligarchs were at first simple: unlimited food and drink, sex, hundreds of servants, huge houses (“houses reared as the size of cities,” as Sallust bitterly wrote). But soon those unrestrained appetites expressed themselves in a more politically destructive way—in desires for unlimited power.<sup>1</sup>

In a republic that had become an oligarchy, a crucial instrument in the desire for power was the vote of the discontented populace. The appetite for more and more political power expressed itself first in intensified competition for elected public office among the elite. This was common. But eventually one oligarch might go further: he might betray his class and its collective rule over the polity, seeking instead to rule by himself, under the cover of being the champion of the people. The trajectory proposed by ancient thinkers was that the demagogue will rise through democratic means but then will govern and seek to cling to power by increasingly anti-democratic means—with the support of a large section of the population.<sup>2</sup>

Functioning aristocracies (the “positive” version of rule by the few) had been held together by mutual trust: trust in mutual good behavior among the aristocrats, trust by the people in the good behavior of the aristocracy; trust that everyone understood traditional *limits*. This was how later Romans conceived of the situation in the early Republic—though even here we may note the creation of the tribunes of the plebeians, whose original function was to protect the populace from aristocratic misconduct.<sup>3</sup> By contrast, the behavior of the elite in an oligarchy increasingly violated those limits, and the violations created distrust—both the rightful distrust of the populace towards the

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<sup>1</sup> See Arthur. M. Eckstein, “Aristocracy, Oligarchy and Donald Trump,” first published on H-Diplo in January 2017, <http://issforum.org/ISSF/PDF/Policy-Roundtable-1-5J.pdf>; reprinted in Robert Jervis Francis J. Gavin, Joshua Rovner, and Diane Labrosse, eds., *Chaos in the Liberal Order: The Trump Presidency and International Politics in the Twenty-First Century* (New York: Columbia University Press, 2018): 385-392. Sallust, *The Conspiracy of Catiline*, (translation: London/New York, Penguin, 1964), Chapter 14.

<sup>2</sup> See Polybius, *Histories*, Book 6, chapter 57 on the growth of oligarchical corruption replacing aristocratic duty to the community, and his prediction of the consequences. Demagogues who evolved into tyrants: see Polybius 6.4 and 6.9 (the general theory), and examples at 4.81 (Sparta) 15.21 (the city of Cius in Asia Minor); 24.7 (Sparta again); 32.6 (Epirus); 32.20 (Aetolia).

<sup>3</sup> On Roman idealizing of early Roman history, see Ann Vasaly, *Livy's Political Philosophy: Power and Personality in Early Rome* (New York: Cambridge University Press, 2012).

appetites of the elite and the increasing distrust of intentions within the oligarchy itself. A fine symbol of the populist process at Rome is the tribune Publius Clodius in the 50s BCE—who actually changed his resplendent patrician name (Publius Claudius Pulcher) to a more plebeian name in order to show he was one with the populace. Donald Trump acted similarly, making a point of eating plebeian McDonald's and buckets of KFC.<sup>4</sup>

The great sociologist Max Weber wondered whether mass democracy had an inherent tendency towards Caesarism, because political power comes to rest directly on the confidence of the masses in an elected individual and not indirectly on representatives in a parliament (at Rome this was the Senate).<sup>5</sup> Thus the power and prestige of the Roman consul rested on his direct election by the Roman people: their overtly expressed approval of his person and character by their majority vote. It was a powerful thing to experience. In addition, the Roman consul's religious aura (his "charisma" in Weber's terminology) originated not only in the approval of the people, but in the approval of the Gods themselves. For instance, in order for his election to be formalized, the consul-elect stood outside barefoot at dawn on the day of his inauguration, imploring the Gods to approve him. Priests watched for signs.<sup>6</sup>

While the Roman Senate traditionally had a supervisory role over public officials, including the highest ones, the Senate was not directly elected as the American Senate is; it consisted merely of all former magistrates, and popular approval was thus only indirect. There was certainly an inherent institutional tension between a magistrate who was ambitious to do glorious things and the Roman Senate as supervisor. But this potential institutional conflict was modulated in the great period of the Republic by the need of both elements to win and maintain the support of public opinion: this was Aristotle's and Polybius' republican polity as a system of checks and balances between three co-equal branches of government (magistrates; Senate; people).<sup>7</sup> But beyond the balance of power among the institutions, any conflict between Senate and magistrate was reduced by the trust between the assembled senators and any individual office-holder. They were from the same class; they had the same experiences; and they held the same values. Because of this mutual trust, for instance, crucial diplomatic decisions made by aristocratic commanders in the field were received with approval by the Senate pretty much no matter what those decisions were.<sup>8</sup>

But what happened when this mutual trust—trust between the elite and the people, and trust within the elite itself—began to disappear? As noted, the ancient thinkers warned of the temptation in such a degenerating oligarchy for the seizure of power by an oligarchical renegade.

The relevance of all this to modern American politics is obvious. There is, to begin with, the fact that the Founders of the American Republic based its structure on what they understood the structure of the Roman Republic to have been.<sup>9</sup> But what is happening now is more than theoretical. Growing distrust of the elite by large segments of the American people, and increasingly bitter political

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<sup>4</sup> An old Patrician family, the Claudii were renowned for their arrogance, and the Claudii Pulchri (the "Beautiful Claudii") were the most arrogant of all. P. Claudius Pulcher changed his name by adoption into a plebeian family. Wendell Stevenson, "Donald Trump's Populist Genius Even Extends to his Revolting Diet," *Financial Times*, 28 February 2020, <https://www.ft.com/content/de1b4680-594a-11ea-abc5-8e03987b7b20>; Deena Zaro, "Feathers Fly Over Donald Trump Eating Fried Chicken," *CNN*, 6 August 2016, <https://www.cnn.com/2016/08/02/politics/donald-trump-eats-kfc-knife-fork/index.html> (with photo).

<sup>5</sup> For discussion, see Ferdinand Mount, "Democracy's Demagogues," *New York Review of Books*, 14 January 2021, <https://www.nybooks.com/articles/2021/01/14/david-bell-charisma-democracys-demagogues/>.

<sup>6</sup> On the religious aspect of the Weberian charisma of elected public officials, see Mount, "Democracy's Demagogues": <https://www.nybooks.com/articles/2021/01/14/david-bell-charisma-democracys-demagogues/>.

<sup>7</sup> On how public opinion at Rome limited the freedom of action of the Senate, see Polybius Book 6, Chapter 16, with Robert Morstein-Marx, "Fear of the People," *RSI* 132 (2019).

<sup>8</sup> On trust as a crucial function of a working aristocracy, see, for example, A. M. Eckstein, *Senate and General: Individual Decision Making and Roman Foreign Relations, 264-180 B.C.* (Berkeley: University of California Press, 1987).

<sup>9</sup> See, for example, Gilbert Chinard, "Polybius and the Roman Constitution," *Journal of the History of Ideas* 1 (1940): 38-58; John Murphy, "Rome at the Constitutional Convention" *Classical Outlook* 51 (1974): 112-114; Gustav. A. Lehmann, "Greek Federalism, the Rediscovery of Polybius, and the Framing of the American Constitution", in *Federalism in Greek Antiquity*, eds. Hans Beck and Peter Funke (New York: Cambridge University Press, 2015): 512-523; Cullen Murphy, *Are We Rome?* (Boston, Mariner Books, 2008), especially Chapter 1: "The Eagle in the Mirror."

polarization within the American ruling stratum, has led to a series of crises of legitimacy in the Presidency. It is a striking fact that none of the past five presidents has enjoyed universal acceptance of his right to the office. And these attacks on legitimacy have been increasing in intensity.

Let us proceed chronologically. Republicans in the 1990s grumbled that Democrat Bill Clinton was elected to the presidency in 1992 only because Ross Perot took away 20% of the vote that rightfully would have gone to the conservative incumbent President G. H. W. Bush. And Clinton's sexual indiscretions led to his impeachment--the first impeachment of a President in 130 years (though the Democratic Party-controlled Senate did not vote to convict). In 2000 we reach a starkly different stage: George Bush, the son of G.H.W., was viewed from the beginning by many Democrats as having sneaked into the Presidency through an extremely narrow and suspect victory in Florida—along with the crucial help of a corrupt Republican-dominated Supreme Court. Barack Obama, the next holder of the office, was in turn accused (by Donald Trump in 2011 most famously) of not even being a U.S. citizen, and therefore holding office illegally. Trump's electoral victory in 2016 was, in turn, appalling to most of the political and intellectual establishment—and soon the mainstream media was accusing him of being a knowing agent of Russia and Vladimir Putin, who had somehow thrown the election to him. This was “Russiagate,” a scandal that undermined Trump for three years of his four-year term, with reporters winning Pulitzer Prizes for pushing the scandal, until the FBI Inspector General Michael Horowitz showed in December 2019 that the story had no evidentiary basis.<sup>10</sup> Even so, the Democrats in Congress went on to impeach Trump in the House of Representatives in January 2020 over his dealings with the government of the Ukraine (the Republican Party dominated Senate failed to convict). And then in January 2021 the House impeached him again for inciting the violent invasion of the Capitol on January 6 by a mob of his supporters (and again the Senate failed to convict).

This impeachment of Trump a *second* time—an unprecedented act against a President--was passed in an atmosphere of constitutional and political crisis, and had its own unique features. It disregarded the traditional procedures surrounding impeachment: there was no special counsel's report to a delegated impeachment committee of the House, as has sometimes happened, no vote of a House committee reporting its considered findings to the House as a whole (as has always happened), no time for Trump's defenders to deal with the charge of “incitement” (if they could)—no time, in fact, at all. And any senator at Rome would have found this process somewhat familiar: it was the crisis politics behind the issuing of an Emergency Senate Final Decree (*Senatus Consultum Ultimum*), which authorized all elected public officials to act immediately to protect the Republic from threatened destruction. The first time such an Emergency Decree was issued at Rome was against an aristocratic demagogue who was accused of fomenting violence (121 BCE).<sup>11</sup>

But even before the insurrection of January 6, we had reached a further stage of division: scores of Republican lawmakers in Congress were c0harging that the election of Democrat Joe Biden to the Presidency in 2020 was achieved through outright fraud—and had vowed not to vote to certify his election. Most were not frightened off even by the violence on January 6: as it was, eight Republican Senators and 135 Republican Representatives voted not to certify the vote-count for Biden of one state or another.<sup>12</sup> The intention behind this action was that Biden would start off as President under the most serious formal challenge to elected legitimacy in 150 years. That the tactic may have backfired on the Republicans and on Trump does not change the situation.<sup>13</sup> A further result of the violence incited by Trump on

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<sup>10</sup> On Horowitz's findings, see *Office of the Inspector General, FBI Crossfire Hurricane Investigation Report*, 9 December 2020, <https://www.justice.gov/storage/120919-examination.pdf> The result of this publication was a scathing public statement by Rosemary Collyer, the chief judge of the court that had authorized electronic surveillance of Trump campaign aides, concerning the misleading of the court by the FBI: Alexander Mallin and Mike Levine, “FISA Court Issues Rare Order to DOJ, FBI, Following Scathing Watchdog Review,” 17 December 2019, <https://abcnews.go.com/Politics/fisa-court-issues-rare-order-doj-fbi-scathing/story?id=67785661>. For a withering overview of “Russiagate,” see now Aaron Maté, “The Rise and Fall of the Steele Dossier: A Case Study in Mass Hysteria and Media Credulity,” *The Nation*, 11 January 2021, <https://www.thenation.com/article/politics/trump-russiagate-steele-dossier/>.

<sup>11</sup> Gaius Sempronius Gracchus, who was the member of a powerful Roman family: see Gary Golden, *Crisis Management during the Roman Republic: The Rise of Political Institutions in Emergencies* (New York: Cambridge University Press, 2012).

<sup>12</sup> New York Times, 7 January 2020, with the complete list of objectors: <https://www.nytimes.com/interactive/2021/01/07/us/elections/electoral-college-biden-objectors.html>.

<sup>13</sup> The last three times a Republican has been elected president — Trump in 2016 and George W. Bush in both 2000 and 2004 — a few Democrats in the Congress also refused to certify the electoral votes in some states the GOP nominee had won. In early 2005 for instance, Sen. Barbara Boxer, D-Calif., along with Rep. Stephanie Tubbs, D-Ohio, objected to Bush's 2004 electoral votes in Ohio. But this was merely one Senator and one Representative.

January 6 was that Biden was inaugurated on January 20 while surrounded by 20,000 armed National Guard troops—more troops than were in Syria, Iraq and Afghanistan combined. Right-wing websites chortled.<sup>14</sup>

And there is more. From the anti-Trump side, there was a drumbeat of published negative psychiatric evaluations of Trump by psychiatrists who actually had never met him: that is, repeated assertions that the President of the United States was insane. From the pro-Trump side, we saw in 2020 the raging propaganda that Joe Biden was suffering from debilitating Alzheimer's dementia (that is, Biden wasn't even aware he was running for President). Accusations of bad policy, and even of financial corruption, are one thing; but this is not normal. After the riot of January 6, there were widespread calls for Trump to be removed from office on the grounds of mental incompetence.<sup>15</sup>

Though Democrats certainly helped inflame these passions, it should be stressed that responsibility for transgressing the traditional boundaries both of vituperation in campaigning for the Presidency and for transgressing traditional political action rests above all with Trump himself. He took the lead. A typical early example: in a televised debate in 2016 with Democratic Party presidential nominee Hillary Clinton, he directly and personally threatened Clinton that if he were elected President, he would put her in prison. And he repeated this threat over and over in feverish rallies before masses of his working-class followers: "Lock her up! *Lock her up!*"<sup>16</sup>

In a properly functioning democracy, limits on electoral rhetoric serve to prevent the normal electoral divisions of opinion from becoming permanently poisoned social and political wounds; and no one attempts to jail a failed opponent. The historian Thucydides warned explicitly against that tactic 2,500 years ago: taking a legal course threatening the freedom of a defeated competitor could end in violence, and even in civil war (and did, in ancient Greece).<sup>17</sup> But that was exactly what Trump threatened, and he thereby hugely raised the stakes involved in winning and losing. To be sure, Trump's threats against Clinton, like so many of his threats, were just bluster. But Trump's threats about jail-time have now come back to bite him, as prosecutors in New York State linked to the Democratic Party gleefully promise to prosecute Trump himself after he steps down from the Presidency (for business fraud and/or tax evasion). And how will that effect his fervent followers? Will they be invading the courtroom, as they invaded the Capitol Building?

My point is this: the last president not to have his legitimacy seriously challenged was George H.W. Bush, back in the election in 1988. That was more than 30 years ago. Ever since then, the accusations of illegitimacy in office have been escalating: Bill Clinton, G. W. Bush; Barack Obama; Donald Trump; and now Joe Biden. And the level of vituperation—"He's insane! He's senile! She's a criminal! No, *he* is!"—has been intensifying as well.

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<sup>14</sup> More soldiers than in the Middle East: *NPR*, 15 January 2021. Right wing websites: "Bad Optics: Biden Administration Will Start Off Looking as Legitimate as an African Coup Leader's," *BlabberBuzz*, 14 January 2021, <https://www.blabber.buzz/blab/pop/1023428-bad-optics-biden-administration-will-start-off-looking-as-legitimate-as-an-african-coup-leader-s>. "Nation's Capital Transformed into East Germany Just in Time for Biden Inauguration," *BlabberBuzz*, 16 January 2021, <https://www.blabber.buzz/blab/pop/1023492-nation-s-capitol-transformed-into-east-germany-just-in-time-for-biden-inauguration>.

<sup>15</sup> On Trump, see for instance, "Trump has Dangerous Mental Illness, say Psychiatry Experts at Yale Conference," *The Independent*, 4 July 2017, <https://www.independent.co.uk/news/world/americas/donald-trump-dangerous-mental-illness-yale-psychiatrist-conference-us-president-unfit-james-gartner-duty-warn-a7694316.html>; "Psychiatrists Warn about Trump's Mental State," *New York Times*, 30 November 2017, <https://www.nytimes.com/2017/11/30/opinion/psychiatrists-trump.html>; "Trump's Mental Impairment Means He Cannot Think Strategically," *Newsweek*, 24 October 2019, <https://www.newsweek.com/donald-trump-mental-health-psychiatry-professor-1467425>. "350 Health Professionals Sign Letter to Congress Claiming Trump's Mental Health is Deteriorating Dangerously," *Business Insider*, 5 December 2019, <https://www.businessinsider.com/psychiatrists-submit-warning-trumps-mental-health-deteriorating-2019-12>. After the Jan. 6 riot: Jennifer Senior, "The Narcissist in Chief Brings it All Crashing Down," *New York Times*, 10 January 2021; <https://www.nytimes.com/2021/01/10/opinion/trump-narcissist-capitol-riots.html>. On Biden: "Joe Biden Must Release Results of his Cognitive Tests," *The Hill*, 2 July 2020, <https://thehill.com/opinion/campaign/505562-biden-must-release-results-of-his-cognitive-decline-tests-voters-need-to>. Fox News Senior Commentator Brit Hume Claims Biden Senile: *PolitiFact*, 29 September 2020, <https://www.politifact.com/factchecks/2020/oct/01/brit-hume/geriatrics-experts-say-brit-humes-claim-joe-biden/>. "Media Continues to Cover Up Joe Biden's Mental Decline," *Boston Herald*, 3 October 2020; "2020 Becomes the Dementia Campaign," *Politico*, 7 May 2020, <https://www.bostonherald.com/2020/10/03/howie-carr-media-continue-to-cover-up-joe-bidens-mental-decline/>.

<sup>16</sup> Presumably the charge would have been mishandling high-security emails.

<sup>17</sup> See Thucydides, Book 3, chapters 82-84: the degeneration of politics in the democratic city-state of Corcyra from disagreements in the assembly into accusations in the law courts, followed in response by assassinations, and then by civil war.

From another perspective, Donald Trump's election message in 2016 focused on sowing distrust of Hillary Clinton on grounds not merely that she was a criminal but that she represented an oligarchical elite that was ruthless in its greed, had no concern for the common people, and (even worse) was overtly contemptuous of them. As for Biden, his electoral message in 2020 focused overwhelmingly on sowing distrust of Trump as incompetent and perhaps insane. This *intentionally* sowing of such deep public distrust in the opponent was the major –and successful–weapon in both of the last two presidential campaigns. To be sure, in 2012 Barack Obama as the incumbent president sowed distrust of his opponent Mitt Romney as a ruthless greedy oligarch too—not unlike what Trump did to Hillary Clinton, even if different in the rhetorical excesses. But Obama's campaigns always had a significant positive message: new programs he wanted to institute, a positive vision of the country to propose. By contrast, neither Trump in 2016 and in 2020 nor Biden in 2020 bothered to discuss a positive vision for the country except in brief and vague terms. Negative campaigning, sowing distrust of the opponent, was the unremitting theme. And after he lost the election of 2020, Trump took the lead again in sowing distrust: this time he obsessively claimed (without evidence) that only massive voter fraud elected Biden. It is a pattern in his behavior.

Trump knew his followers tolerated his character flaws and his increasingly reckless behavior: as David Suissa has said, they figured that was what it took to “stick it” to the establishment that had abandoned them. In fact his breaking of normal boundaries was part of his charisma. Polybius would not have been surprised.<sup>18</sup>

And yet these intensifying presidential crises in legitimacy have gone hand in hand with the growing power of the presidency itself. Since the 1930's and 1940s—and no matter which person or which party held the White House—more and more control has been ceded by Congress to the president in the name of self-defense from external and internal enemies. The Constitution gives the right to declare war only to the Congress, but the last time that happened was in 1941: 80 years ago. Since then, presidents have essentially initiated wars on their own: Korea; Vietnam; Panama; Bosnia; Kosovo; Iraq; and Libya.<sup>19</sup> Further, while control over terrifying nuclear weapons has enormously increased the president's power and prestige, it has recently served only to sow fear and distrust. As Vice President Cheney declared on television in 2008, the president has been conceded total authority over use of the Bomb: “He could launch a kind of devastating attack the world has never seen. He doesn't have to check with anybody. He doesn't have to call the Congress. He doesn't have to check with the courts.”<sup>20</sup> And the response a decade later: “Most Americans don't trust Trump with the nuclear button!” declared *The Washington Post*.<sup>21</sup>

Meanwhile, since the Islamist terrorist attacks on the United States of 9/11, the government's ability to engage in warrantless surveillance of its own citizenry by simple “presidential directive” has hugely expanded. This was true under George W. Bush, and Obama did little to stop it. Indeed, with a majority-Republican Congress that was opposed to many of his policies (for instance, on immigration), Obama got into the habit of ignoring Congress altogether and issuing “presidential directives” on numerous important issues. Trump, the renegade oligarch, followed suit. Obama negotiated a crucial nuclear-arms “agreement” with Iran that he never even brought to the Senate, which has the constitutional right to ratify treaties; Trump was thus able to simply abrogate the “presidential directive” on this by one of his own. Trump also waged a successful war against the Islamist Caliphate (ISIS) practically on his own; he increased the scale of the deadly drone programs—as Obama had done—which hunted down and killed enemies of the United States planet-wide by presidential decree (in

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<sup>18</sup> David Suissa “How Trump and his People Self-Destructed,” *Jewish Journal*, 8 January 2021, <https://jewishjournal.com/commentary/columnist/editors-note/327168/how-trump-and-his-people-self-destructed/>.

<sup>19</sup> Note the phraseology of the *New York Times*, 19 March 2003: “President Bush Declared War on Iraq Tonight...” <https://www.nytimes.com/2003/03/20/international/worldspecial/bush-declares-start-of-iraq-war-missile-said-to.html>. Congress had ceded the decision to go to war with Iraq to George Bush, whenever he wished, in October 2002.

<sup>20</sup> Vice President Cheney on Fox News Sunday, 22 December 2008, <https://www.foxnews.com/transcript/transcript-vice-president-cheney-on-fox-news-sunday>.

<sup>21</sup> “Most Americans Don't Trust Trump with the Nuclear Button,” *Washington Post*, 18 January 2018, <https://www.washingtonpost.com/news/the-fix/wp/2018/01/23/most-americans-dont-trust-president-trump-with-the-nuclear-button/>. See also, “Do You Trust Trump's Finger on the Nuclear Button?” *The Nation*, 24 July 2017, <https://www.thenation.com/article/archive/donald-trump-has-his-finger-on-the-nuclear-button-maybe-we-should-do-something-about-that/>. This began even before Trump won the 2016 election: “Clinton Says Nuclear Officers Don't Trust Trump with the Launch Codes,” *Business Insider*, 20 October 2016, <https://www.businessinsider.com/hillary-says-nuclear-officers-dont-trust-trump>. As for accusations that President Biden himself is actually and secretly senile, see the text above, page 7.

Obama's case this included American citizens).<sup>22</sup> Trump also promulgated by presidential directive an unprecedentedly harsh anti-immigration policy, especially targeting Muslim countries. Such actions, though often of dubious legality, nevertheless won huge approval among Trump's millions of followers. But conversely, when the COVID-19 pandemic hit, it was Trump who was blamed the most for its devastating impact in the U.S. The president had the responsibility.

As for President Biden, he issued close to double the number of "presidential directives" in his first ten days in office than did Presidents Obama and Trump combined. And this has continued, because—as a CNN personality explained—"Congress is so slow."<sup>23</sup> But simultaneously, thanks to Trump's propaganda, a significant portion of the population still believes that Biden was elected by fraud: "You've got 41 per cent of the country, including a lot of independents, who think the election was stolen", says the former political director of the U.S. Chamber of Commerce—"That's an amazing number." One can see how this combination of presidential power and widespread distrust might be politically toxic.<sup>24</sup>

Rome followed a similar pattern: the increased power of the highest public officials-- necessitated by increased imperial responsibilities-- led to increased distrust. At Rome there was at first a simple city council (the Senate) and annually elected officials with limited powers and limited time in office (one-year term-limits), headed by the two consuls. Yet these city institutions ended up administering an empire that stretched from the English Channel to Syria. Large-scale problems on the imperial periphery then came to require greater concentrations of governmental power: governors were needed over large regions and for multiple years. And so the Romans experimented with special "great commands": Marius, consul for five straight years against the German threat, 104-100 B.C.; Sulla in the East, 88-83 B.C.; Pompey in Spain, 77-72 B.C.; Pompey's huge naval command against pirates, 67; Pompey in the East, 66-62 B.C.; Julius Caesar against the Celts in Gaul, 58-50 B.C. The great commands led to increased efficiency in the handling of large imperial problems; but the danger lay in whether the holder of a great command would surrender what was already the power of an emperor and return to a life of limited republican behavior in Rome. And with Caesar, the system that worked to solve large problems on the imperial periphery wrecked the republic.

Some commentators are now worried that Trump's behavior has so sullied the presidency (while expanding its powers) that his successors will get away with an awful lot simply because their behavior will still be well within the bounds of what Trump has done. Modern historians looking at the Republic of Rome in its final forty years have pointed to a similar problem. The last generation of the Roman Republic faced the specter of the horrible example.

In the 80's BCE the aristocratic politician Lucius Cornelius Sulla marched on Rome twice with his armies, and the second time he executed many of his political enemies and set up a violent dictatorship (82 BCE). He retired due to illness after three years of domination, and the Republic then continued. Sulla even passed a law forbidding any governor ever to do what he had done: to leave his province without permission of the Senate and march on Rome. But it was not as if nothing had happened. As a great modern historian of Rome has written, "Sulla could not abolish his own example."<sup>25</sup> After Sulla, people at Rome knew it could always happen again. The capacity of republican institutions and republican political culture to constrain personal power, appetite—and mutual distrust—among the elite had become uncertain.

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<sup>22</sup> Publius Clodius's first major act in Roman politics, as plebeian tribune in 58 BCE, was to have Cicero exiled from Rome because as consul, Cicero had executed five Roman citizens (conspirators with Catiline) without trial.

<sup>23</sup> The initial Presidential directive numbers for Biden: Quartz, 31 January 2021, <https://qz.com/1966876/how-joe-bidens-executive-orders-compare-to-other-presidents/>; Aamer Madhani, "Biden Faces Scrutiny Over Reliance on Executive Orders," *Associated Press*, 28 January 28, 2021, <https://apnews.com/article/joe-biden-donald-trump-immigration-coronavirus-pandemic-environment-173a0800088bc1c654dd7dfcdde901b>; Zach Wolf, "Executive Actions: Biden is blowing his predecessors out of the water", 6 February 2021, <https://www.cnn.com/2021/02/06/politics/what-matters-february-5/index.html>

<sup>24</sup> The quotation is from Scott Reed: Annie Karni and Mike Baker, "An Emboldened Extremist Wing Flexes its Power," *New York Times*, 1 February 2021; <https://www.nytimes.com/2021/02/01/us/politics/republicans-trump-ronna-mcdaniel.html>.

<sup>25</sup> Ronald Syme, *The Roman Revolution* (Oxford: Oxford University Press, 1939), 17.

And it did happen again, but not for 30 years. In the meantime there were riots and even assassinations organized by competing aristocratic politicians and factions. Cicero worried about being murdered by his rivals and political enemies; so did Pompeius once he was back in Rome from his great command in the eastern Mediterranean. Yet this now passed for normal politics.<sup>26</sup>

But Polybius's prediction back in 150 BCE concerning the Roman elite's loss of legitimacy in the eyes of the governed was increasingly fulfilled. The Roman populace's distrust of the oligarchy began with the Senate's failure to provide land redistribution to the Roman poor, starting in the 130s BCE. From the late 120s onward we find tribunes of the plebeians actively sowing popular distrust of the corruption of the nobles—a process that was underlined by Sallust.<sup>27</sup> The result by the first century BCE was physical fear of popular anger within the senatorial aristocracy. As Alexander Jacobson has said, Roman politicians were not whisked to and fro in motorcades of black SUV's with dark-tinted windows, but often were forced to confront angry crowds on the streets of Rome face to face.<sup>28</sup> The sorts of scenes we saw on January 6, and which seem so shocking to us, were increasingly frequent in the last stages of the Roman Republic. In 67, riots over senatorial reluctance to appoint a commander against pirates led to senior senators and a consul almost being killed by an angry mob; in 57 a similar thing happened over a severe grain shortage, with the angry mob threatening to kill the senators and burn down the temple where the Senate was meeting. At the end of 57, another debate in the Senate, this time over the actions of the demagogue Publius Clodius (him again), was interrupted by the roaring of a hostile mob from just outside the doors of the Senate House, and the senators fled in panic. Clodius's political career continued unimpeded. January 6 indeed.<sup>29</sup>

These angry populist attacks against the corruption of the elite, and the counter-accusations against a demagogue for inciting mobs and aiming at tyranny, now sound all too familiar. Also striking is that in Polybius's prediction, what matters—regardless of whether the people were actually being cheated—is that they *felt* that they had been cheated, were *told* they'd been cheated by demagogues from within the oligarchy. That, too, sounds familiar.<sup>30</sup>

This is not to say that in the last decades before civil war destroyed the Roman Republic anti-senatorial riots were happening all the time—or even most of the time. Not so: often enough, the men of the Senate recognized populist demands, and acceded to them. Nevertheless, it is historically significant that in two of the three cases of violence against the Senate cited above, the solution the mobs wanted to the problems Rome faced was to turn those problems over to the control of one man. That is, they clearly no longer had trust in the Senate or the collective rule of the oligarchy to resolve these problems. They trusted one man to do that, when he was given extraordinary powers. In both cases that man was Pompeius.<sup>31</sup> Then, in early 52 BCE, following the murder of the popular champion Publius Clodius (yes, him again), rioters invaded and actually burned down of the Senate House itself. And this time it was the Senate that turned to Pompey as the one man to provide a solution. Instead of the normal two consuls, Pompey was sole consul for six months with senatorial approval, entrusted with restoring order in the city—a constitutional monstrosity. And this brings us to Caesar.

Many commentators in the winter of 2020/2021 feared that the American Republic was at a moment similar to the one in winter 50/49 BCE that broke the Roman Republic.<sup>32</sup> In Caesar's case, he was holding a long-term extraordinary command in Gaul (modern France and northern Italy), but feared returning to Rome where his bitter enemies were threatening to prosecute him in court for malfeasance during his consulship of ten years before. This was the political use of the courts whose dangers to political stability Thucydides had warned about

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<sup>26</sup> See Andrew Lintott, *Violence in Republican Rome*, second ed., (Oxford: Oxford University Press, 1999), Chapter XII.

<sup>27</sup> For instance, the demagogue Gaius Memmius's attacks on the Senate in 111 B.C. in Sallust, *Jugurthine War* Chapter 27. Memmius was later killed in a riot led by a rival while running for Consul.

<sup>28</sup> Alexander Jacobson, "Popular Power in the Roman Republic," in Nathan Rosenstein and Robert Kallet-Marx, eds., *A Companion to the Roman Republic* (Oxford: Blackwell, 2006), 391.

<sup>29</sup> See Morstein-Marx, "Fear of the People," (above, n. 7): 519-524, with sources.

<sup>30</sup> Polybius, Book 6, Chapter 57 (the crucial verb is *doxe*: fake news). This was pointed out to me by my student Will Burghart.

<sup>31</sup> In 67 BCE, Pompeius was given command over the entire Mediterranean Sea to deal with the pirates; following the riots in 57 he was given a five year command with special powers to ensure the proper supply of grain so that the poor in Rome did not starve.

<sup>32</sup> See, for instance, "Trump's Authoritarian Moment is Here," *The New Yorker*, 24 January 2021, <https://milled.com/newyorker/trumps-authoritarian-moment-is-here-QohYKc-BHju6qE11>.

long before. Caesar's distrust and reluctance to return to Rome without special assurances in turn provoked bitter opposition from those in the Senate who already hated and feared him as a potential tyrant.<sup>33</sup> The intensity of distrust between the factions reached the level of insanity, said Cicero.<sup>34</sup> And though the majority of senators (including Cicero) were for some sort of compromise, the anti-Caesar extremists stampeded the Senate in early 49 BCE into demanding Caesar's immediate recall from Gaul (and without his army)—on pain of his being declared an outlaw. And they turned once again to Pompeius as savior of the state, literally handing him the sword to deal with Caesar if he didn't obey the Senate.

That is, Caesar had been politically defeated. His response was to charge political fraud by the anti-Caesar faction, and on that basis he staged a coup. He crossed the Rubicon with his army. Indeed, Caesar was already charging electoral fraud six months earlier, in the summer of 50, declaring that his partisan Sulpicius Galba was robbed of the consulship for 49 by the anti-Caesar consuls presiding over the elections, even though *Galba had won the most votes*. Fraud by the opposition was a constant theme of Caesar's propaganda for months before the civil war began.<sup>35</sup>

That Trump, having been defeated for re-election, and obsessively charging electoral fraud, was capable of staging a Caesar-type coup in the winter of 2020/2021 was identified as a danger by eminent historians of fascism such as Timothy Snyder, author of *Bloodlands*. And Snyder was hardly alone among prominent academics.<sup>36</sup> Within the broader public, especially on the left, the fear of a coup was also widespread. Were these fears justified? Was Trump going to be another Caesar? They share certain characteristics: bad comb-overs, rumored huge debts, and a knack for creating hatred and enemies. And the riot of January 6 intensified the fears regarding Trump and violence.

But there, I think, the similarities end. Trump's erratic behavior, his instituting an astounding 60 court cases charging fraud in the electoral results in several states, his attempt to browbeat the Georgia Secretary of State into "finding" the 11,000 votes that would give him Georgia's electoral votes, his speech encouraging the rioters of January 6—all this was crucial in stoking fear and profound distrust. But Caesar was a vigorous 50, energetic and physically fit, a self-confident and successful general with a huge loyal army behind him, a man who would soon have a teenaged mistress who was also the Queen of Egypt; Trump, who has no military experience, was 74, obese, and without any military or judicial support.

And as pointed out by the independent leftist columnist Glenn Greenwald, there is another way of looking at Trump's actions: that he was in fact weak and indecisive. The doomsday narrative of the rising fascist dictator never actually materialized. When his policies were declared by courts to be unconstitutional, Trump revised them (as in the case of his "Muslim ban"). No journalists were imprisoned for criticizing him; rather, it was the golden road to journalism awards, media stardom, and high salaries. He had an opportunity to seize authoritarian power in spring 2020 in order to control the spread of the terrible COVID-19 pandemic—and candidate Biden himself urged him to do so; but he refused, leaving the battle mostly to the states.<sup>37</sup> He had a second opportunity during the massive protests in the early summer of 2020 over the murder of the black motorist George Floyd, some of which turned violent; but although he threatened

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<sup>33</sup> We have Caesar's actual words on his fear of being dragged into court: Suetonius, *Life of Caesar*, 30.4 (from an eyewitness, Gaius Asinius Pollio).

<sup>34</sup> Cicero, *Letters to His Friends*, Book 16, Letter 12 (January 27, 49 B.C.), and Book 4, Letter 1 (looking back from April 21, 49 B.C.).

<sup>35</sup> Caesar [Hirtius], *Galic War*, Book 8, Chapter 50.

<sup>36</sup> Timothy Snyder, "Trump's Big Election Lie Pushes America Towards Autocracy: Don't Underestimate Where this can go," *Boston Globe*, 11 November 2020, <https://www.bostonglobe.com/2020/11/11/opinion/trumps-big-election-lie-pushes-america-toward-autocracy/>; "20 Things to Keep in Mind as Trump Attempts a Coup," 12 November 2020, <https://medium.com/@TimothyDSnyder/20-things-to-keep-in-mind-as-donald-trump-attempts-a-coup-66c35c5b2fd9>. Snyder has long held this position: "It's Pretty Much Inevitable that Trump will try to stage a Coup and Overthrow Democracy," *Salon*, 1 May 2017. <https://www.salon.com/2017/05/01/historian-timothy-snyder-its-pretty-much-inevitable-that-trump-will-try-to-stage-a-coup-and-overthrow-democracy>. Also (for instance) Jeffrey Herf, "Trump's Refusal to Acknowledge Defeat Mirrors the Lie that Fueled the Nazis' Rise," *Washington Post*, 23 November 2020—accepting the Post's own judgment that "this is an attempted coup" (November 18). <https://www.washingtonpost.com/outlook/2020/11/23/trumps-refusal-acknowledge-defeat-mirrors-lie-that-fueled-nazi-rise/>.

<sup>37</sup> "Biden Urges Trump to Invoke the Defense Production Act," *Yahoo News*, 23 March 2020, <https://news.yahoo.com/biden-urges-trump-invoke-defense-162236784.html>. Amber Phillips, "What is the Defense Production Act and Why is Trump so Resistant to Using It?" *Washington Post*, 24 March 2020, <https://www.washingtonpost.com/politics/2020/03/19/defense-production-act-trump-coronavirus/>.

and blustered, he actually did not do much from the center to control the demonstrations and riots. The right wing was bitterly disappointed: “People will not forgive weakness!” thundered Tucker Carlson, the most popular commentator on conservative Fox News.<sup>38</sup> As for the January 6 riot, *The Washington Post* analysis, based on numerous eye-witnesses, describes Trump after his incitement of the march of his supporters down to the Capitol as fundamentally passive.<sup>39</sup> *The Post* was not alone in perceiving this: many on the far-right, having before January 6 urged Trump “to cross the Rubicon” (as one group said), were bitterly disappointed at his lack of public support for the invasion of the Capitol; they described him as “extraordinarily weak,” and “very weak and flaccid.” As one political scientist said, “Ultimately, he couldn’t be the authoritarian they wanted him to be.”<sup>40</sup>

So, not Caesar. But, yes, Clodius. Trump acted as a battering ram exposing the weaknesses of American institutions. He left much wreckage behind. Even the ultra-conservative Senator Mitch McConnell underlined the problem: “The mob was fed lies. They were provoked by the president and other powerful people.”<sup>41</sup> Trump was the major culprit in creating a poisonous political culture, in undermining the public’s faith in political institutions (the Congress, the State Department, the Supreme Court, the electoral process itself), in undermining faith in the traditional media (*The New York Times*, *CNN*: “fake news!”), and in undermining confidence in those in big business whom he so often depicted as the snobbish oppressors of ordinary working people, with himself, by contrast, as the populist champion. From his first moments in politics (back in 2011) he demonized any opposition. And his hatred and contempt for his political opponents, expressed repeatedly in those boastful and bizarre tweets, was mirrored by those who called themselves from the very beginning “The Resistance”—as if the U.S. were under occupation by Nazis. Yes, distrust was sown by both sides, but with Trump in the lead from the beginning; it has gone on for four years. The mob that invaded the Capitol on January 6 didn’t need to be incited by the specifics of Trump’s speech at the White House that day, which many of them didn’t hear (the most violent “militia”-type groups arrived at the west side of the Capitol Building before Trump even began speaking; and the fighting began well before he finished); but that was because they had already been incited by months and years of his ferocious propaganda.<sup>42</sup>

It rather looks as if Donald Trump fits the model of the oligarchical renegade who seeks to ride popular discontent to personal power—the figure whom ancient political thinkers warned about in situations where an aristocracy had lost its public virtue and had become a greedy oligarchy instead. If the American Republic faced a stress-test with Trump as President, it has passed that test; but this does not remove the underlying social, economic, and political dysfunctions. Trump was no dictator like Caesar, just an agitator from within the oligarchy, like Clodius. But unless those social, economic, and political dysfunctions are repaired, Trump may be preparing the way for another populist, someone as adept at deepening the distrust of the ruling elite, but more focused, more mentally organized—more ruthless. Perhaps that someone may already be waiting in the wings, and learning.<sup>43</sup>

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<sup>38</sup> “People Will not Forgive Weakness! Tucker Carlson Blasts Trump for not Being Tough Enough during Unrest,” *USA Today*, 2 June 2020, <https://news.yahoo.com/biden-urges-trump-invoke-defense-162236784.html>. On all this, see Glenn Greenwald, “The Threat of Authoritarianism in the U.S. is Very Real, and has Nothing to do with Trump,” *Greenwald Substack Blog*, 28 December 2020, <https://greenwald.substack.com/p/the-threat-of-authoritarianism-in>. For Greenwald, the real authoritarian threat lies in the gigantic power of the large tech corporations, and the deployment of unimaginable wealth to achieve political ends by Jeff Bezos of Amazon and Mark Zuckerberg of Facebook.

<sup>39</sup> “Six Hours of Paralysis,” *Washington Post*, 11 January 2021. [https://www.washingtonpost.com/politics/trump-mob-failure/2021/01/11/36a46e2e-542e-11eb-a817-e5c7f8a406d6\\_story.html](https://www.washingtonpost.com/politics/trump-mob-failure/2021/01/11/36a46e2e-542e-11eb-a817-e5c7f8a406d6_story.html).

<sup>40</sup> “‘A Total Failure’: The Proud Boys Now Mock Trump,” *New York Times*, 20 January 2021. <https://www.nytimes.com/2021/01/20/technology/proud-boys-trump.html> Because the District of Columbia is not a state, the deployment of its National Guard requires Presidential approval; Trump actually gave that approval on January 3, but the Capitol Police did not request such help: “Timeline: How Law Enforcement Officials Failed to Head Off the U.S. Capitol Attack,” *Washington Post*, 16 January 2021, <https://www.washingtonpost.com/graphics/2021/national/national-security/capitol-response-timeline/>.

<sup>41</sup> Mitch McConnell, “Clip of Senate Session,” *C-SPAN*, 19 January 2021, <https://www.c-span.org/video/?c4938965/mob-attacked-capitol-provoked-president-senator-mcconnell>.

<sup>42</sup> The Chronology of Fighting at the Capitol Building: “Timeline...,” *Washington Post*, 16 January 2021.

<sup>43</sup> See Ben Jacobs, “Experts Fear that Trump’s Coup is a Dress Rehearsal,” *New York Magazine Intelligencer*, 27 December 2020, <https://nymag.com/intelligencer/2020/12/historians-fear-trumps-failed-coup-is-a-dress-rehearsal.html>.

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