



Sit-tight leadership and presidential transition: An X-ray of the disappointing case of Donald Trump in the United states of America

Okon Eminue

Head, Department of Political Science and Diplomacy and Sub Dean, Faculty of Social Sciences, Veritas University, Abuja, Nigeria

Abstract

Commitment to smooth and peaceful transition of power is a legacy of the United States' Presidential system undermined by President Donald Trump. With hindsight of the 2016 Obama/Trump Transfer of power, this paper analyzes the turbulent 2020 U.S Presidential Transition, with incumbent President Trump refusing to concede defeat in "the most secure Presidential election in American history", won by his Democratic Party challenger, Vice-President Joe Biden. Essentially using the methodology of Library Research, the paper examines the various subterfuges, mostly undemocratic and underhand methods, by which Trump attempted to overturn the result of an election that had clearly been won by Biden, based on Trump's conspiracy theories that the election he had won by "landslide" was stolen from him. The paper asserts that the crisis engineered by Trump's rejection of the election result was exacerbated by the fact that Trump, the Behemoth, is the Republican Party, having bludgeoned, propagandized or convinced overwhelming majority of Republican leaders and supporters to unconscionably believe the election was fraudulent and stolen, such that anyone who believed anything to the contrary risked severe recriminations, as Trump embarked on panel-beating everyone into acquiescence. Perhaps, the most dastardly of Trump's subterfuges was his incitement of his right-wing extremist supporters to carry out an insurrection at the Capitol – an action which produced dire consequences for Trump, Trump Organization and Congressional Republicans, including Trump's second impeachment, sanctions from social media platforms and from Corporate America, further isolating Trump. The article eulogizes the resilience of the American institutions and proposes far-reaching Electoral Reforms via Plebiscitary Election only, for producing the United States President as a way of preventing a repetition of the "nightmare scenario" experienced at Capitol on 6 January 2021.

Keywords: presidential transition, sit-tight leadership. Trump, U.S.A. non-concession, conspiracy theories, fraud, insurrection

Introduction

The proverbial "Man Bites a Dog" story is definitely newsworthy, for, as Frank O'Brien or John B. Bogart puts it, "When a dog bites a man, that is not news, but when a man bites a dog, that is news." By the same token, perceiving "sit-tight leadership" - one of the characteristics of underdeveloped countries – in the United States, which has variously been described as the "symbol", "beacon", "bastion" "seat", "temple", "hallmark" and "cauldron and plethora" of democracy on earth, would sound to many as something of a misnomer. Incumbent President of the United States, Donald J. Trump, refused to commit himself to smooth transfer of power if he lost the 2020 Presidential Election. When he was defeated by his Democratic Party challenger, Joe Biden, with a majority of 7.049 million votes, he employed various subterfuges to impugn the integrity of the election and overturn the results. Trump even claimed to have won the election with a "landslide", despite the fact that the courts dismissed all his cases and the Electoral College and the Congress certified and upheld Biden's clear victory. A President Trump consummating and manifesting sit-tight leadership after the 2020 Presidential Election was, therefore, as outrageous and repugnant as an insurrectionist at Capitol on January 6, 2021 waving the Confederate battle flag considered to be the sad symbol and reminder of the persistence of white supremacy in the United States.

Conceptual Clarification

In genuine and healthy democracies, where political contestation or competition is something of a game, and where elections perform the dual role of holding the government accountable to the governed and facilitating peaceful transfer of power, successful candidates are expected to be magnanimous in victory and to stretch out their "right hand of fellowship" to the defeated candidates, while the defeated Candidates are expected to accept their defeat gracefully and with equanimity, relinquishing power gracefully and peacefully in obedience to the verdict of the ballot box. This makes the people (the electorate) the ultimate custodians of political sovereignty and contributes to strengthening the nation's democratic ethos - traditions, customs and practices. The credibility and integrity of elections reinforce the public expectation that the ballot box is sacrosanct and that election results will be respected by all; that a defeated Candidate who refuses to concede defeat would be lacking in popular support as he would simply be putting himself in a state of war with the people, and would be considered irresponsible, a law-breaker or trouble-shooter. Institutional resilience is also provided for by encouraging defeated Candidates who have genuine grievances to submit electoral complaints to laid down institutional mechanisms, including the Courts, for redress, rather than resort to violence. Fundamentally, free, fair, credible and periodic elections dichotomize between

democracies, on the one hand, and autocratic, authoritarian or “undemocratic systems” on the other, in which “Sometimes, elections are rigged, incumbents enjoy unfair advantages or, with military support – they overturn the results” (Pridham, 2000) ^[26].

Smooth political transition after an election is essential in a democracy. For a Presidential transition to be smooth, the winner of the election has to emerge or, the defeated candidate has to concede, and preferably make a concession speech, since gracious concession of defeat is considered a sign of political shrewdness. It has been pointed out that “The months before and after Presidential elections are particularly fragile for foreign policy (as well as domestic policy) because what an uncooperative and recalcitrant outgoing President could do should not be underestimated” (Burns, 2020) ^[6]. In the specific case of the United States, an informed opinion holds that “America’s enemies, both foreign and domestic, thrive on and are emboldened by any inkling of chaos, dysfunction or vacuums of vigilant leadership in our security capabilities” (Daalder, *et al.*, 2020; Thompson, 2021) ^[11, 38]. As succinctly pointed out by the German Chancellor, Angela Merkel, “A fundamental rule of democracy is that after elections, there are winners and losers. Both have to play their role with decency and responsibility so that democracy itself remains winner” (AP News, 2021).

Incumbent U.S. Presidents have the obligation to commit themselves to a smooth and peaceful transfer of power which enables an in-coming administration to begin from a solid foundation – a convention which is more than two centuries old. Balik (2020) ^[4] asserts that “Even during the most fraught transitions, when the incumbent President has lost, American Presidents have a tradition of putting aside the sting of defeat and (of) collaborating with the person who dealt them the (devastating) blow – all to honour democracy and protect constitutional rule”: In 2004, some Democrats raised concerns regarding the imperfection or mal-functionality of voting machines in Ohio; yet, that did not stop Democratic Presidential Candidate, John Kelly, from conceding defeat to George W. Bush. Never a desperate and sore loser, Kelly took consolation in the reality that whether a victorious or defeated candidate, the following morning, “we all wake up as Americans.” Again, in 2016, some Democrats complained against alleged Russian interference in, and manipulation of, the Presidential ballots in favour of Donald Trump. But that objection did not prevent Hillary Clinton, the Democratic Candidate, who was leading Trump by almost 3 million popular votes, from conceding defeat, saying: “We owe him (Trump) an open mind and the chance to lead”; and from being gracious in defeat by proclaiming that “... being your Candidate has been one of the greatest honours of my life.”

Framework for Presidential Transition

Presidential transition is the “handover of important information and duties from one administration to the next” – from one incumbent President to the President-Elect – a process coordinated by the General Services Administration (GSA), which is supposed to begin shortly before the Presidential campaigns and terminate with the inauguration of the President. Change is the most rampant and yet the most permanent thing in life. From the George Washington/John Adams transition in 1796 to date, 44 Presidential transitions have taken place in the United

States. It would be calamitous if a departing President were to leave office with the institutional memory of his government or of the administration, compelling the incoming President to start on a clean slate. Continuity in governance would have been tampered with. It is on record that the outgoing Carter Team failed to alert the incoming Reagan administration of Israel’s impending bombardment of the Osirak nuclear reactor in Iraq. Such a mistake, information loss or error of omission or commission need not occur. Based on the realization that “Any disruption occasioned by the transition of executive power could produce results detrimental to the safety and well-being of the United States and its people”, the U.S. Presidential Transition Act of 1963 lays down a framework or template “to promote the orderly transfer of power from one President to another.”

The rationale for this is that a newly installed President needs information about pending issues, with some antecedents to rely on. The ardent need to provide the President-Elect with critical information is informed by the fact that he is expected to make many important and urgent decisions, particularly regarding appointments into certain offices before his inauguration, which is statutorily scheduled to take place on January 20. For instance, the President-Elect is expected to make about 4,000 appointments into the United States bureaucracy, 1,200 of which require Senate confirmation. The Intelligence Reform and Transition Act 2004 allows each eligible Presidential Candidate, before election, “to submit security clearance requests for prospective Transition Team members who will need access to classified information.” For that purpose, the Act directs the FBI and other agencies responsible for conducting background investigations to conduct such investigations expeditiously before inauguration in respect of Secretaries and Under-Secretaries. The President-Elect’s Transition Team also has responsibility for obtaining security clearance, in advance of inauguration, for individuals who will hold high-level national security appointments in the incoming government.

The GSA plays a pivotal role in ensuring a smooth transfer of power from one President to the next. The access and the resources guaranteed to both the President-Elect and Vice-President-Elect under the Presidential Transition Act only become available when the Administrator of GSA “ascertains” the identity of the “apparent successful candidate” of a Presidential election. Once such a candidate is identified, he is given “access to critical information needed to address pressing national security issues such as the President’s Daily Brief and pending decisions on possible deployment of military force.” Access to such information thus ensures continuity from one government to the next. The Act authorizes the President-Elect to be given a classified summary as soon as possible after the election on threats to national security, covert military operations and pending decisions on possible uses of military force.

The transition from George W. Bush to Barack Obama has been dubbed “the smoothest and most effective of U.S. Presidential transitions.” That transition’s smoothness and success have been attributed to three factors: First, the fact that prior to the election, both sides had committed to a “productive transition”: The commitment by the Bush administration to effective transition was reflected in the incumbent President appointing his Chief of Staff, Joshua Bolten, to drive the process. Second was Obama’s

assignment of a “knowledgeable and appropriate” person, John Podesta, to represent the President-Elect in the Transition Team. Third, the 9/11 Commission Report had made several recommendations for improving the transition from one administration to another, including expeditious furnishing of the President-Elect with classified “operational threats to national security, major military and covert operations and pending decisions on the possible use of force.” To the extent that “catastrophic attack could occur with little or no notice”, the Report called for “the minimization of disruptive national security policy-making during the change of administration by accelerating the process for national security appointments.” Remarkably, it was revealed that the 36-day delay in transition owing to the contested 2000 election had “cut in half the normal transition period”. “This loss of time hampered the new administration in identifying, clearing, recruiting, and obtaining Senate confirmation of key appointees”. It was observed that “a 6-month delay in fully staffing the national security apparatus ... left the United States more vulnerable to foreign adversaries.” It was against that backdrop of the contested election in 2000 and the accompanying delay in driving the transition process that the 9/11 Report recommended that “outgoing and incoming leaders must be cooperative, take these requirements and best practices seriously, and act in the best interest of the nation” (emphasis supplied, 9/11 Commission Report, 2001). Evidence of the transition’s success was the fact that in his first 10 days in office, Obama had reportedly signed 9 executive orders and 9 Presidential Memoranda which covered a wide range of subjects, including legislation for equal pay, children’s health insurance, economic stimulus program, etc – thus delivering on his major electioneering campaign promises early in the life of the administration.

The Obama-Trump 2016 U.S. Presidential Transition in Perspective

When Donald Trump (Republican) contested the 2016 U.S. Presidential election against Hillary Clinton (Democrat), less than 12 hours after Cable News Network (CNN) projected from Electoral College 306:232 votes that Donald Trump had won the Presidency, Hillary Clinton conceded defeat, even when the counting of the votes had not been completed and Trump was trailing Clinton by almost 3 million majority votes. For months during the 2016 Presidential electioneering campaigns, President Barack Obama had asserted that Donald Trump was unqualified, temperamentally unfit, and a threat to the Republic, who should never be President. Trump, a promoter and supporter of the “Birther Movement” had questioned Obama’s citizenship, consistently asserting, albeit incorrectly, that President Obama was not born in the United States, until Obama was compelled to release his birth certificate to prove that he was actually born in Hawaii, to debunk Trump’s lies. So, the Obamas had genuine grievances towards the President-Elect: Michelle Obama recollected too the painful memory she had to put behind her, and get involved in some form of interaction, for the 2016 transition from Barack Obama to Donald Trump to succeed:

I have to be honest and to say that none of this was easy for me. Donald Trump had spread racist lies about my husband that had put my family in danger. That wasn’t something I was ready to forgive. But I knew that for the sake of our country, I had to find strength and maturity to put my anger

aside (Yashar off, 2020)^[41].

Despite such ugly memories, the Obamas put their personal differences aside. Reasoning that “The Presidency is bigger than any of us”; that “We are not Democrats first, We are not Republican first, We are Americans first, We are patriots first”, President Obama graciously promised that he would not allow his ideological differences with the Republican business moguls to interfere with a “smooth transition so that Trump can hit the ground running on January 20, 2017”, and unified the nation behind President-elect Donald Trump, reminiscent of the transfer of power which had become an “inevitability since George Washington handed the baton to John Adams.”

Thus, once Donald Trump, “an irascibly bombastic real estate mogul and reality show celebrity, billionaire with no previous political or military appointment or experience, who once accused President Obama of being a fraud” emerged officially as the 45th President of the United States, President Obama had no other alternative than to extend all the courtesies and privileges attaching to the Office of President-Elect to Donald Trump, putting aside the marked ideological and political differences between them. President Obama immediately held a 90-minutes discussion with Trump in the Oval Office, in which “wide-ranging conversation” reportedly took place between incumbent President Obama and his successor, Trump, notwithstanding their bitter differences: Said President Obama on the occasion: “I want to emphasize to you, Mr President-Elect, that we now are going to want to do everything we can to help you succeed because if you succeed, then the country succeeds.” President-elect Trump was grateful and did not hide his deep appreciation to the Obamas whose warm embrace and access to relevant facilities and resources placed at the disposal of the Transition Team no doubt facilitated a smooth and seamless transition in 2016/2017. As the then Incoming (Trump’s) White House Press Secretary, Sean Spicer, had succinctly pointed out: “As the inauguration gets closer, both the current President (Obama) and his team have been very helpful and generous with their time as far as the actual transition, the mechanics of the transition have gone, and I expect them to continue to speak fairly regularly.” On his part, President Obama said “I have been very encouraged by the interest the President-Elect Trump’s wanting to work with my team around many of the issues that this great country faces. And I believe that it is important for all of us, regardless of party and regardless of political preferences, to now come together, to work together (Marshall and Saenz, 2016). Trump and his wife, Melania Trump, enjoyed such support and cooperation from President Obama and his wife, Michelle Obama, during the take-off of his administration.

The Trump-Biden Transition

On 7 November 2020, as soon as the Associated Press (AP) called him as the Winner of the 2020 United States Presidential Election (by 81,283,485 votes to Donald Trump’s 74,233,744 votes – a majority of 7,049,741), Democratic Candidate, Joe Biden, who became the first-ever challenger to defeat an incumbent in several decades went into ecstatic and spontaneous expression of appreciation to the American electorate and called for unity: “I am honoured and humbled by the trust American people have placed in me and in Vice-President-Elect (Kamala) Harris. With the campaign over, it’s time to put the anger

and the harsh rhetoric behind us and come together as a nation ... It's time for America to unite. And to heal. We are the United States of America. And there's nothing we can't do if we do it together." Vice-President Joe Biden "carved a path to the White House by recapturing Democrats' 'Blue wall' – Pennsylvania, Wisconsin and Michigan – by being the first Democrat to win Arizona since 1996, and Georgia since 1992 (Slodysko, 2020) ^[31]. Less than 30 minutes after the Associated Press acknowledged Biden as Winner of the 2020 U.S. Presidential election, President Donald Trump, who was at his golf course in Virginia, released a statement, baselessly claiming that the election was "far from over":

We all know why Joe Biden is rushing to falsely pose as the winner and why his media allies are trying so hard to help him: they don't want the truth to be exposed ... this election is far from over. Joe Biden has not been certified as the winner of any States, let alone any of the highly contested States ... our Campaign will start prosecuting our case in court to ensure election laws are fully upheld and the rightful winner is seated ... I will not rest until the American people have the honest vote count they deserve and that democracy demands (cited by Gringlas et. al., 2020).

Apparently preempting Biden's prime time Acceptance Speech, Trump warned that Biden should not "wrongfully claim" the office of the President: "Joe Biden should not wrongfully claim the office of the President (as) I could make that claim also. Legal proceedings are just now beginning" (Donald J. Trump (@realDonaldTrump), November 6, 2020). President Trump's lawyer, Rudy Giuliani, alleged without any speck of evidence, that the electoral system in Philadelphia, Pennsylvania, whose 16 Electoral College votes propelled Biden beyond the decisive 270 Electoral votes, was riddled with fraud. President Trump declared himself winner and the Trump Campaign issued a series of tweets declaring President Trump winner and falsely claiming that election observers were prevented from entering counting rooms, even though observation of vote-counting was normal, and in most cases livestreamed too. The tweets by Trump speak for themselves:

The observers were not allowed into the counting rooms. I won the election. Got 71,000,000 legal votes. Bad things happened while observers were not allowed to see. Never happened before. Millions of mail-in ballots were sent to people who never asked for them. Supreme court should decide.

Bad things took place during those hours when Legal transparency was variously & crudely not allowed. Tractors blocked doors & windows were covered with thick cardboard so that observers could not see into the count rooms. Bad things happened inside. Big changes took place! If you count the legal votes, I easily win. If you count the illegal votes, they can try to steal the election from us. I easily WIN the Presidency of the United States with legal votes ...

The Republican Party and the Trump Campaign tweeted severally that Trump won by "landslide"; that they will not be intimidated as they were going to reclaim the United States of America for the people who voted for freedom"; that Americans cannot afford a Joe Biden Presidency and that they "will not allow the corrupt democrats to try to STEAL this Election and import their radical Agenda on our country." William Barr had asserted that the Department of Justice had "not seen fraud on a scale that could have effected a different outcome in the election", the Trump

campaign had inundated the courts and the media with "a list of bogus election fraud claims" targeted at sheer misinformation and at overturning President-Elect Joe Biden's victory in the election.

Two contradictory and irreconcilable groups soon emerged and coalesced, with their contrasting assertions: Trump, Trump Campaign and supporters made tremendous efforts to de-legitimize or undermine as well as immediately halt the vote-counting process. Trump's armed supporters in Phoenix and Detroit insisted that the election had been stolen and carried out series of rallies under the banner "Stop the Steal", even as Trump singled out Philadelphia and Detroit as "two of the most corrupt political places" in the United States and regularly referred to "legal votes" and "illegal ballots", thus suggesting, albeit incorrectly, that mail-ballots were illegitimate. On the other hand, Biden's supporters insistently demanded that every ballot should be counted, chanting slogans like "Count Every Vote" or "Count the Vote". At Pennsylvania, a fence was reportedly erected to prevent skirmish between about 300 supporters from both parties engaging themselves in shouting matches – an effort at preventing the snowballing from spilling over to violence.

As the battle for the integrity of the 2020 U.S. Presidential Election raged on, both online and offline, Facebook took it upon itself to disclaim and discredit a group numbering some 350,000 which called itself "Stop the Steal", spreading allegations that the election was being rigged in Biden's favour, and whose aim was the de-legitimization of the electoral process:

Facebook has banned a large group called 'Stop the Steal' that supporters of President Trump were using to organize protests against the vote count. Some members had called for violence" (<http://tico/8rstt5yisld>) The Associated Press (@AP) November 6, 2020.

Said Joshua Douglas, a University of Kentucky Professor who specializes in Election Law:

I think probably the political goal is to sow discord, to undermine the legitimacy of the election. Trump has been doing this for years, and now, it's come to a head. Going by Trump's reckoning, mail-in ballots are a breeding ground for fraud and manipulation (Wise, 2020; Gringlas et al., 2020) ^[40].

But in the battleground States-Georgia, Michigan, Pennsylvania, Wisconsin (as well as in Arizona and Nevada), Trump Campaign's requests that the counting of ballots be halted were rejected by the courts. In effect, the Trump Campaign kept saying: "Stop the Count", but the Courts kept on over-ruling them, insisting that they cannot shape a narrative or retrospectively bent reality to fit Trump's false claims about voting."

The pretense or blunt refusal by the Trump administration's top hierarchy to accept Biden's historic victory was such that even though the Winner of the election had clearly emerged and the Electoral College had repeated its 2016 feat of 306: 232, but this time, in favour of Joe Biden, thereby confirming or ratifying Biden's victory with a touch of finality, Vice-President Mike Pence, while campaigning for Kelly Loeffler and David Perdue in Georgia for the two Senate re-run elections scheduled to take place on January 5, 2021, had told Georgians that President Trump was still fighting to win re-election to the office of President (Viebec et. al., 2020) ^[39]. Despite the losers continually living in denial, President-Elect Joe Biden had been consistent: "It is

time to turn the page. It was honest, it was free and it was fair. They saw it with their own eyes. And they wouldn't be bullied into saying anything different."

Role of the General Services Administration in the Transition

Because President Trump had not only bluntly refused to concede defeat but had also consistently claimed "landslide" victory in the election, while testing the integrity of the election in court (albeit without any supporting evidence), transition, which is usually heralded by the Letter of Apportionment from the GSA, could not commence. Trump had directed the Executive branch not to cooperate with President-elect Joe Biden while his legal contests of the validity of the election persisted. Although the election took place on November 3 and media networks called the election for Biden on November 7, it was not until 23 November that Emily Murphy, the GSA Administrator conveyed to President-Elect Biden the authorization for the transition to commence. It is significant that Emily Murphy stressed in her letter designating Joe Biden as the "apparent Winner of the Presidential Election" that she was "never directly or indirectly pressured by any executive branch official – including those who work at the White House or the GSA." Said Murphy: "I do not think that any agency charged with improving federal procurement and property management should place itself above the constitutionally based process ... I came to my decision independently based on the law and available facts" (Gerhart, 2020). This is where the strength and resilience of United States institutions came into play. When Emily Murphy predicated her decision to commence the transition process on "recent developments", she was definitely referring to:

1. certification of election results in almost all the States, including the four battleground States of Georgia, Michigan, Pennsylvania and Wisconsin;
2. a flurry of Court rulings confirming the validity of the election results in the absence of any speck of evidence pointing in the direction of electoral irregularities in the four battleground States, thus signaling the end or fruitlessness of the legal challenge;
3. Electoral College confirmation of Joe Biden as the President-Elect by 306 to President Trump's 232 votes;
4. many of President Trump's backers in the Republican Party had argued that Murphy should allow transition to proceed, that Biden should both begin to receive the coronavirus vaccines and national security briefings, etc;
5. A plea from a group of 150 former national security, senior military, and elected officials, including officials from the Trump Administration and other administrations of both parties that "Further delaying the Biden Team's ability to access the President's Daily Brief and other national security information and resources compromises the continuity and readiness of our national leadership, with potentially immense consequences for our national security."

Thus, although President Trump had tweeted that he had recommended that "Emily and her Team do what needs to be done with regard to the initial protocols ..." and that he did so in order to ensure that Murphy and her family were no longer "harassed, threatened and abused", and that he had accepted Murphy's action, it is apparent that the

authorization for the commencement of the 2020 transition process (including funding the transition to the tune of \$9.9 billion) was a decision of the GSA based on hard-headed realities as itemized above – an action which acknowledges the strength of American institutions, rather than the import of transient individuals (Balik, 2020) ^[4]. Lest he be interpreted as having given up, Trump tweeted: "What does GSA being allowed to preliminarily work with the Dems have to do with continuing to pursue our various cases on what will go down as the most corrupt election in American political history? We are moving full speed ahead. Will never concede to fake ballots & Dominion."

Why Most Americans Rejected Donald Trump

Despite garnering over 74 million votes to become second Presidential Candidate in United States' electoral history with the highest popular votes (behind Biden's 81.049 million), Trump was clearly rejected by the American electorate for his numerous imperfections – Trump's non-commitment to peaceful transfer of power; failure to distance himself from white supremacists; cavalier handling of COVID-19 pandemic, with about 400,000 fatalities as Trump was exiting; fraternization with autocrats and dictators while undermining relations with Western allies; non-payment of taxes; attack on free speech and independence of the Judiciary; appointment of 10 Judges whose credentials and experience the American Bar Association deemed inadequate; pressuring of Ukraine to investigate the Bidens for selfish political advantages; unfounded claim that mail-in ballots will culminate in "totally rigged election"; planned postponement of the 2020 Presidential election, using COVID-19 as an excuse; ruminating over the idea of perpetuating his stay in the White House and the idea of abolishing the two-term limit, while aping over China's Xi Jinping's Life Presidency; failure or unwillingness to abide by norms, ethics and the truth (telling 30,000 lies in 4 years); phobia for science and attack of scientists, experts and subject-matter specialists; attack of Republican stakeholders/right-wing media opposed to lies & conspiracy theories; choice as Campaign Coordinator of a novice who was "burning millions of dollars" and "Make America Great Again (MAGA) Nationalism which had reduced America from global leadership to isolationism, racial hatred and division (Serwer, 2020) ^[30].

Trump's Rejection of Election Result and Doom Were Predicted

President Trump's stubborn refusal to concede defeat does not expressly violate any provision of the U.S. Constitution, but it does flagrantly violate an unwritten norm that has been an integral part of the electoral behaviour, including those of victorious and defeated candidates in nation-wide elections, in the United States over centuries and that has acquired the status of a quasi-constitutional provision. Nor had Trump ever made secret his agenda. Consequently, his rejection of the result of the Presidential election, declaring himself winner of the election (by landslide) and sabotaging of the transition process were not all surprising and unexpected because, as early as July 2020, Trump had made incessant and preposterous claims that "Mail-in Ballots will lead to MASSIVE electoral fraud and a RIGGED 2020 Election" (Boot, 2020). Audacious but baseless claims, including an appeal to populism, were all part of the

exhibition of Trumpism which, among other odious things, meant claiming victory, regardless of the reality on ground, no matter what the Courts and the Electoral College said, and no matter what! Other components of Trumpism were a business-like approach to politics; and an anti-establishment attitude (Beeman, 2018) ^[5]. “Donald Trump’s brand is about being a winner, never about losing. Remember he’s always come out of every loss, like his bankruptcies, somehow making himself look like a winner. This election is the biggest, most public loss he’s ever suffered.” For example, when asked by Moderator Chris Wallace during the First Biden-Trump 2020 Presidential Debate to condemn White supremacists and enjoin them to refrain from violence, Trump had merely ordered “the Proud Boys” to “stand down” and “stand by”; and when asked whether he would be committed to a peaceful transfer of power if he lost the Presidential election, Trump had asserted that if he did not win, it would be because of “fraudulent mail-in voting” and not because more Americans voted against him. When pressed further to commit himself to a peaceful transfer of power, Trump entered the prevarication and the circumlocution mode: “I have to see. Look, you – I have to see. No, I’m not going to just say yes. I am not going to say no, and I didn’t last time, either”. Trump rather spread false conspiracy theories that have hurt the confidence of Americans in the most basic element of democracy – free, fair, credible and periodic elections.

All these seem to be the fulfillment of what a veteran American diplomat who has been tipped to become Director of the Central Intelligence Agency (CIA) under the Biden Administration had predicted, prior to the November 3, 2020 election, about the Trump-Biden transition in comparison with previous Presidential transitions:

(Past incumbent United States Presidents) were all conscious of the ways they could help pave an easier path for their successors. They all ultimately put country over party. That won’t be the case with Donald Trump. If the next 150 days turn out to be Trump’s final days in office, he could still wreak a lot of havoc on American foreign policy. Trump was unlikely to accept traditional bipartisan commitment to effective transition if he lost the 2020 race to Biden. The cost of confusion, mixed signals, and bureaucratic turmoil could be very high (Burns, 2020) ^[6].

One can also recall the “honest and unvarnished view” the British Ambassador to the United States, Kim Darroch, expressed concerning President Donald Trump is a leaked diplomatic cable:

As seen from here, we really don’t believe that this administration is going to become substantially more normal; less dysfunctional, less unpredictable, less faction-riven, less diplomatically clumsy and inept ... For a man who has risen to the highest office on the planet, President Trump radiates insecurity ... There is no filter (that prevents Trump making offensive comments) ... We could also be at the beginning of a downward spiral, rather than just a rollercoaster; something could emerge that leads to disgrace and downfall (Sparrow, 2019) ^[33].

Conspiracy Theories and False Claims

Trump circulated some conspiracy theories and unsubstantiated claims that:

1. mailed-in voting led to massive fraud and abuse: Mail-in ballots would be a tragedy the U.S can ill afford;

2. the process of disallowing tainted mailed-in ballots most of which were cast for Biden would lead to President Trump declaring martial law and reviewing some elections;
3. Voter fraud was rampant and widespread. Tremendous evidence pouring in on voter fraud. There has never been anything like this in our country. (Twitter: This claim about election fraud is disputed);
4. “Democrats are blowing COVID-19 out of proportion to game the election” (Eric Trump’s false claim);
5. Republican observers were not allowed sufficient access to vote-counting venues, especially in Michigan, Nevada and Pennsylvania (There was confirmation that observers were allowed the right within six feet of the ballot-counting exercise);
6. Claims of manipulations – specifically that voting machines used in many States, including those manufactured by Dominion Voting Systems, use software “created in Venezuela at the direction of Hugo Chavez to make sure he never lost any election.” The conspiracy theory that voting machines by Dominion (a Colorado-based manufacturer, were programmed to rig the election spread like bushfire on right-wing websites and social media platforms. “We can’t be disgraced by having something like this happen. There has been a lot of shenanigans and we can’t stand for that in our country.” A conspiracy Theory associated with the “Deep State” (Rucker et.al.,2020) ^[27];
7. the electoral machinery was not manned by impartial personnel in some States, particularly where clear winner did not emerge: “The voting apparatus of those States are run in all cases by Democrats” In the case of Georgia, it was revealed that President Trump actually endorsed Georgia Brad for the Election Management Office in 2018 – a claim some elected Republicans refuted;
8. Trump’s tweet that in swing States, there were egregious conduct like more votes than people who voted, and in big numbers. Does that not really matter? Stopping Poll Watchers, voting for people, fake ballots and so much more.

However, the Department of Homeland Security had debunked these conspiracy theories:

The systems and processes used by election officials to tabulate votes and certify official results are protected by various safeguards that help ensure the accuracy of election results ... These safeguards include measures that help ensure tabulation systems function as intended, protect malicious software, and enable the identification of any irregularities (Gerhart, 2020).

Also, a study conducted by Electronic Registration Information Center (ERIC) found that across 14.6 million votes cast by mail in the 2016 and 2018 general elections, instances of potential fraud only amounted to 0.0025% (Midkiff, 2020) ^[22].

Trump’s efforts to overturn the presidential election result

There were many weapons in Trump’s toolbox for overturning the Election result.

Trump’s Legal Fireworks: 60 Lawsuits

The first and major plank of the Trump Campaign to back

President Trump's claimed victory and overturn Biden's win was to file multiple lawsuits around the country, particularly challenging results in 4 battleground States of Georgia, Michigan, Pennsylvania and Wisconsin (but later extended to encapsulate Arizona and Nevada). In an extraordinary news conference at the Republican National Committee Headquarters, Rudolph Giuliani and others, Trump's Attorneys claimed, without evidence, that there was a centralized conspiracy with roots in Venezuela to rig the U.S. Presidential election. They alleged fraud in Atlanta, Detroit, Milwaukee, Philadelphia and other cities whose municipal governments are controlled by Democrats and where President-Elect, Joe Biden, won with large margins: We cannot allow these crooks – 'cause that's what they are – to steal an election from the American people. They elected Donald Trump; they did not elect Joe Biden. Joe Biden is in the lead because of the fraudulent ballots, the illegal ballots that were produced and that were allowed to be used after the election was over. Give us an opportunity to prove it in court and we will (Rucker *et. al.*, 2020)^[27]. But neither Giuliani nor any other Trump or Trump Campaign attorney had furnished any credible evidence in court to buttress the widespread fraud claims. Perhaps, the most controversial or celebrated of these lawsuits was the Texas lawsuit in which Texas, through its Attorney-General, Ken Paxton, alleged that Governors in the four battleground States had unlawfully expanded mail-in voting, thereby usurping powers reserved exclusively for legislatures and that the Supreme Courts in those States, all controlled by Republicans, should substitute their choice of electors for the 62 elected by Biden because he won the popular votes in those States, in order to convert Trump's electoral defeat into a "court-ordered victory." But that would have amounted to the disenfranchisement of 10.4 million lawful votes altogether. 18 States in which the 2020 Presidential election was won by President Trump filed a lawsuit at the U.S. Supreme Court supporting Paxton's efforts to effectively overturn Joe Biden's victory. Some 126 Republican Members from the House of Representatives signed amicus curie (friends of the court) briefs supporting Paxton's suit. But Rep. Chip Roy called the Paxton suit "a dangerous violation of federalism" that would set "a precedent to have one State asking Federal Courts to police the voting procedures of other States." Predictably, the Supreme Court dismissed the suit as "outlandish", considering it "an extraordinary intrusion" into other States' elections and held that "Nothing in the text, history or structure of the Constitution supports Texas's view that it can dictate the manner in which four sister States run their elections, and Texas suffered no harm because it dislikes the results in those elections." Texas "has not demonstrated a judicially recognizable interest in the manner in which another State conducts its election." A Supreme Court Judge, Justice David Wecht, commenting on the lawsuits' staggering demand that an entire election be overturned retrospectively, observed in his concurring opinion: "They have failed to allege that even a single mailed-in ballot was fraudulently cast or counted" (Mangan and Breuninger, 2020)^[20]. In any case, out of 50 States in the United States, 34 States and the District of Columbia already allow anyone to vote by mail-in, that is, in absentia. But the breakout of the coronavirus pandemic had made mail-in voting to become a safer alternative to in-person voting. Thus, a conservative Supreme Court with 3 of its 9 Justices

appointed by Trump, "refused to be drawn into the extraordinary effort by the President" to overturn results of a valid Presidential election. Hence, whereas Trump was right in his speculation that election disputes may end up being decided at the Supreme Court, he was utterly wrong in believing that the Supreme Court would do his bidding, simply because one-third of its Justices were appointed by him. The Texas lawsuit was dubbed Trump's "last chance to overturn election results before the Electoral College convenes to formally cast ballots: 306 for Mr. Biden, 232 for the incumbent" (Bravin and Paul, 2020)^[7].

All 60 lawsuits by the Trump Campaign alleging fraud and contesting Biden's victory were dismissed by the Courts. Regardless of who appointed them – Bill Clinton, George W. Bush, Barack Obama, or Donald Trump – Federal Judges demonstrated fidelity to the rule of law, underscoring the fact that there were no "Obama Judges ...". The lesson to be learnt here is that the Justices may be appointed by Trump and may even be "extremely conservative", but they are conservative in an ideological sense, not in the sense of being willing to do "whatever the incumbent President or the conservative majority in the Senate or the Congressional minority would want them to do.

The claims in Trump's lawsuits (also called the "Trumpworld post-election lawsuits"), variously characterized as "frivolous", "groundless", "meritless", "unacceptable", "un-American", "incredible", "breathtaking", and as "contesting the will of the American people", had been rejected by at least 86 Judges around the United States, including Justices of the Supreme Court (Viebec, *et. al.*, 2020)^[39]. Thus, State after State, the President's lawyers were ridiculed out-of-court, "unable to provide evidence to back up Trump's claims that mailed-in ballots were falsified, or that glitches on voting machines with software from Dominion Voting Systems might, just might, have changed or deleted 2.7 million votes" (Sanger, 2020)^[29]. To Michael Beschloss, a Presidential historian and author of *Presidents of War*, the *hulabalu* over election fraud generated by Trump was "a manufactured crisis. It is the President abusing his huge powers in order to stay in office after voters clearly rejected him for the re-election. This is what many of the Founders (of the Republic) dreaded." His words: We have never seen anything like this before. This is a President abusing his very great powers to try to stay in office, even though it is obvious to everyone that he has been defeated in the polls, That is a prospect that terrifies most of the Founders – I don't want to be alarmist, but ... citizens (should) keep watch on every one of these things with an eye to ultimate dread of the Founders, which is that a President rejected by the voters would use his powers to try to stay in office anyway (Rucker *et. al.*, 2020). As underscored by Justice Stephanos Bibas of the 3rd U.S. Circuit Court of Appeal while denouncing Republican request to reverse certification of Pennsylvania election results as "breathtaking", "Voters, not lawyers, choose the President. Ballots, not briefs, decide elections." It is instructive to note that Ken Paxton was after a Presidential pardon for federal and State criminal charges. Paxton is the subject of an FBI investigation into allegations by former senior staffers that he used the Attorney-General's Office to benefit a campaign donor. He had also been under indictment for more than five years on State criminal charges involving alleged securities fraud (Gillman and Thompson, 2020)^[37].

Legislative Obstruction of State Certification of Results

Secondly, it is germane to state that Trump's first post-lawsuit effort to overturn the election results was to stop the election certification – a routine, yet very important process by which electoral officials check to ensure that votes tally (for instance, that the number of votes tally with the number of voters accredited); that votes were counted and recorded correctly, honestly and properly; that the results were audited to exclude double or multiple voting; and that discrepancies were thoroughly investigated. However, within the context of certification, Trump mooted some increasingly quixotic efforts through legislative obstruction and manipulation of the electoral process. Zurcher (2020)^[42] has identified some step-by-step guide to Trump's strategy for overturning the election results that did not favour President Trump. The following were what the Trump Campaign hoped, planned and attempted, to do:

1. Block the vote certification process in as many States as possible, either through lawsuits or by encouraging Republican officials to raise objections;
2. Convince Republican-controlled Legislatures in States where Joe Biden narrowly won to dismiss the result of the popular vote as corrupted by widespread fraud;
3. Have the State Legislatures then award their States' Electoral College votes, which are cast by 'Electors' on 14 December, to Trump, instead of Biden;
4. Do that in enough States – Georgia, Michigan, Pennsylvania and Wisconsin (and maybe in Arizona and Nevada too) for instance – to pull Trump up from his current total of 232 electoral votes until he can exceed the winning 270-vote threshold.

After three consecutive vote recounts, all of which showed Biden as the winner, President Trump repeatedly pressurized Brian Kemp, Governor of Georgia to convene a special session of the State's Legislature to overturn President-elect Joe Biden's victory in the State, as well as order an audit of absentee-ballot signatures for Georgian votes cast. Responding through a joint statement, on the issue of summoning the Legislature, Governor Brian Kemp and Lt-Gov. Geoff Duncan asserted that "... doing this in order to select a separate slate of Presidential Electors is not an option that is allowed under the State or federal law." Again, on 2 January 2021, President Trump pressurized the Secretary of State of Georgia, Brad Raffensperger, during an hour-long phone call to change the State's vote total in the 2020 Presidential Election won by Joe Biden; Hear what Trump said in the video: "What I want is this: I just want to find 11,780 votes, which is one more than (the 11,779-vote margin of defeat) because we won the State." Trump had thus ordered Raffensperger to commit a criminal offence. Raffensperger and fellow Republicans, including Senator Lindsey O. Graham (R-S.C) expressed exasperation over baseless allegations from Trump and allies over Dominion Voting Machines, leading to Raffensperger and wife, Trica, receiving death threats which read: "You better not botch this recount. Your life depends on it" (Gardner, 2020)^[13]. Trump had so dangerously repeated his unsubstantiated claim of electoral fraud while campaigning in the Senate re-run for Senators David Perdue and Kelly Loeffler that he utilized valuable time on Brian Kemp's authority to turn things around for him than say good things that could have sold the Senatorial Candidates to the electorate. Trump who called Kemp "an obstructionist" and asked him to resign,

declared: "They cheated and rigged our Presidential election but we will win. And they are going to try and rig this election too", with the Georgian crowd chanting: "Four More Years!". Lt-Governor Duncan pointed out the harm caused by Trump's lies during the Campaign in Georgia, saying: "The mountains of misinformation are not helping the process; they're only hurting it." Kemp replied that distribution of COVID-19 vaccines and helping keep Republican Senate majority should be everyone's pre-occupation, "not the President's tweets." (Mason, 2020; Sonmez, 2020)^[21, 32].

Pressurizing State Officials to Pick Illegal Electors

Thirdly, Trump's cajoling, blackmailing and brow-beating of Republican and electoral officials in Arizona presented a special problem class in the effort to overturn the results of the Presidential election. Initially, all the 15 Arizona Counties – whether led by Democrats or by Republicans – had certified their results before forwarding them to the Arizona Secretary of State, Katie Hobbs, for further State-wide audit. On 20 November 2020, Arizona Governor, Doug Ducey, had participated in the certification, alongside the Secretary of State, Katie Hobbs, and Republican Attorney-General, Mark Brnovich. 6 out of the 60 Trump Campaign lawsuits thrown out by the Courts were from Arizona. Despite this transparency, Governor Ducey still drew Trump's anger for what Trump perceived as "rush" or "indecent haste" to certify the results and for defending the State's election integrity, regardless of the unsubstantiated allegations of conspiracy theories circulated by Rudy Giuliani and Jenna Ellis. Thus, despite the Electoral College votes going to Joe Biden, the Arizona Republican Party Chairman, Kelli Ward (a Trump-elect) and other Republican electors in Arizona still held a meeting at the behest of Trump to cast unofficial and illegal ballots for Trump; while 27 Members of the Arizona State Legislature endorsed a joint resolution calling on Congress to accept those ballots rather than the ones earlier signed and certified by the Secretary of State and the Governor.

Heated Oval Office Meeting Over Michigan Certification

Fourthly, an impromptu meeting at the Oval Office was convened by President Trump apparently to try to convince Republican officials in Michigan to buy into President Trump's alternate reality of rescinding their certification of the election result in Michigan. Attended by Sidney Powell (lawyer); President Trump's former National Security Adviser, Michael Flynn; and 7 Republican legislators, the meeting reportedly "devolved and eventually broke out into screaming matches at certain points" as some of Trump's aides rejected Powell's and Flynn's "more outrageous suggestions of Trump invoking martial law as part of his efforts to overturn the election he had lost to President-elect, Joe Biden – with Powell and Flynn accusing others of abandoning the President. There were also indications that Powell may be named Special Counsel to investigate voter fraud allegations which the Trump administration had earlier dismissed, including conspiracies on voting machine flaws-with Trump Campaign staff preserving all documents or being ordered "not to alter, destroy or discard records that could be relevant" - an indication of the possibility of more litigation by pro-Trump Attorneys. Specifically, an idea was floated that an Executive Order should be issued permitting

the Government to access voting machines to inspect them (Liptak and Brown, 2020)^[19].

But why the furore over Michigan certification? In 2016, Trump had won Michigan with a majority of 11,000 votes and there were no hues and cries. In 2020, Biden won Michigan by 154,000 votes majority, but Norman Shinkle, former State Senator in Michigan, refused to certify the State's Presidential election result, "despite independent certification by all 83 Michigan counties and no evidence of fraud to cast doubt on Biden's win in the State"? Shinkle maintained that the result in majority-Black Detroit "needs to be looked at." The Michigan result was eventually certified by the State's Bureau of Election comprising two Democrats and two Republicans with Monica Palmer and William Hartman (Republican), with Norman Shinkle becoming the only Michigan County Board Member who abstained, despite President Trump's personal phone call which caused Palmer to reverse her certification belatedly.

It was not immediately clear why Trump would need to personally summon 7 Michigan Republican legislators to the White House to be briefed on Michigan's electoral law which mandates that all the 16 electors go to the winner of the State, in this case, Joe Biden, if the purpose was not to prevail on them to rescind certification. Rejecting solemn pleas to appoint a separate, Trump-backed slate of electors, even though the State had been won by Biden, the Republican Speaker of the Michigan State Legislature, Lee Chatfield, said: "I fear we'd lose our country forever. This truly would bring mutually assured destruction (MAD) for every future election in regards to the Electoral College. And I can't stand for that. I won't." Reacting to that development in a Press Conference in Wilmington, Delaware, Biden said: "Americans are witnessing incredible irresponsibility; incredibly damaging messages are being sent to the rest of the world about how democracy functions" and that Trump's manoeuvres were "totally irresponsible." Senator Mitt Romney (R-Utah) called the illegal and conspiratorial Oval Office Meeting an "overt pressure on State and local officials to subvert the will of the people and overturn the election. It is difficult to imagine a worse, more undemocratic action by a sitting American President". The danger which Richard Hasen, a University of California law expert, saw in such a meeting was that if its mission succeeded, "...there would be rioting in the streets of Michigan and throughout the country."

State Republican and electoral officials accused Trump of complaining over places he suffers losses. In Pennsylvania, where the Electoral Commission comprised 3 Democrats and 3 Republicans, Trump paid \$3 million for a recount after a "rancorous debate" for more than 5 hours. In Wisconsin where recount was ordered, electoral official observed: "Trump had no problems with Wisconsin election rules in 2016 when he won by 23,000 votes. But now that he loses, he complains. We look forward to, again, demonstrating the strength, security, integrity and transparency of our election systems in Wisconsin."

Manipulation and Use of Force

Fifthly, what Sanger (2020)^[29] calls "the employment of military tactics" was not only predicted; it was strongly canvassed, thereby generating the expectation that "a defeated Trump would likely attempt some poisonous legacy-building tactics before leaving office" (Naftali, 2020; Johnson, 2020). Such "poisonous" policies intended to put a

successor in difficulties could include haphazard troop withdrawal from Afghanistan, Iraq and Germany, etc; embracing anti-Chinese rhetoric in the COVID-19 pandemic; the undermining of NATO; imposition of a barrage of tariffs on Chinese goods, possibly leading to the worsening of relations; the deepening of his regime's isolationist tendencies; last minute move against Iran, and so on.

On 10 September 2020, when he appeared on the Alex Jones Show, Roger Stone, recently pardoned, long-time confidante of Donald Trump, who had been convicted for lying to Congress and tampering with witnesses during the Robert Mueller Probe into the suspected Russian intervention in the 2016 Presidential election, had declared that the only legitimate outcome of the 2020 U.S. Presidential election would be a Trump victory. As informed by Almond (1956, pp. 398-399), "A game is a good game when the outcome is in doubt and when the stakes are not too high. But when the stakes are too high, the tone changes from excitement to anxiety." For Trump to perpetuate himself in office, Stone simply urged him to work towards a predetermined outcome, involving a number of coercive and preemptive measures, including the militarization of the electoral process. The coercive measures listed in Stone's arsenal included the seizure by Federal authorities of absentee ballots in Nevada on the election night, with a scheme that such ballots would be taken out of the State because they were completely corrupt; the nationalization of State Police Forces; the physical blocking by FBI agents and Republican Party officials of voting in certain areas under the pretext of preventing voter fraud, using martial law or the Insurrection Act to carry out widespread arrest; armed voter intimidation at polling centers in key States; seizure of absentee ballots in Clark County, an area that leans towards Democratic Party; deliberate obstruction of counting of votes from Nevada, which is "flooded with illegals"; and the appointment of Representative Bob Barr (R-Georgia) as a Special Counsel with the specific task of forming an Election Day Operation, using the FBI, Federal Marshals and Republican State officials across the country to be prepared to file legal objections, and if necessary, to stand in the way of criminal activity (Johnson, 2020)^[18].

Roger Stone was not the only one with criminal records who advocated the use by Trump of back-hand, coercive and unorthodox measures to win the election. Michael Flynn, a retired General, Trump's first National Security Adviser and one who pleaded guilty to lying to the FBI about his contacts with foreign governments in 2017, had supported a release by a group which advocated that President Trump should impose "limited martial law" that would allow the military to conduct a second Presidential Election, presumably on terms that would be more favourable to President Trump (Ford, 2020)^[12].

Pressurizing Vice-President Mike Pence as Senate President

Sixthly, Trump embarked on playing the "Pence Card" by pressurizing Vice-President Mike Pence to overturn the election result during Congressional certification of the Electoral College vote on 6 January 2021. Even though Mike Pence had explained to Trump during a White House lunch that he had no power to block Electoral College votes, and even though Pence, in a letter, had told Trump that his

oath of office to defend the Constitution constrained him from claiming “unilateral authority to determine which electoral votes should be counted and which should not”, while campaigning during the Senate re-run at Georgia, Trump said: “I hope Mike Pence comes through for us. I hope that our great Vice-President comes through for us. He’s a great guy. If Mike Pence does the right thing, we win the election. He has the absolute right to do it. Of course, if he doesn’t come through, I won’t like him as much.”

Again, while throwing out a lawsuit filed by Trump enthusiasts, Rep Louie Gohmert (R-Texas) and some Republicans in Arizona, which claimed that Mike Pence has “sole discretion to determine whether electors put forward by the States are valid ... the Vice-President has the power to reject fraudulently chosen electors”, a Federal Judge, Michael Luttig, who considered that the Vice-President’s role at Senate was not a test of political loyalty, had ruled that Mike Pence had no choice but to simply count the votes: His only responsibility and power of the Vice-President under the Constitution was to faithfully count the Electoral College votes as they had been cast (and not) to alter in any way the votes that had been cast, either by rejecting certain votes or otherwise. Pressuring Vice-President Mike Pence became a nullity because that court ruling was predicated on the 12th Amendment which stipulates that “The President of the Senate shall, in the presence of the Senate and the House of Representatives, open all certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President.” House Speaker, Nancy Pelosi, who saw the lawsuit as having “zero legal merit” considered it as “yet another sabotage of our democracy”. The unanimous decision was: “Pence can preside but not decide.”

The Trump-incited Insurrection at Capitol

Seventhly, the final effort to overturn the 2020 U.S. Presidential election results was the Trump-incited Insurrection-Trump supporters riotous and violent storming of the Capitol, straight from the “Save America” Rally which Trump had planned to coincide with Congress certification of the Electoral College vote, a putatively ceremonial event, on 6 January 2021. In a tweet summoning the rally, Trump had declared: “We will never give up. We will never concede. Statistically impossible to have lost the 2020 Election. Big protest in D.C. on January 6. Be there. Will be wild!” Another invitation linked the Republican Party: On January 5, 2021 and of the Republican Attorneys-General sent out robocalls urging supporters to go to DC “to fight Congress” over Trump’s baseless election fraud: “At 1pm, we will march to the Capitol building and call on Congress to stop the steal. We’re hoping patriots like you will join us to continue to fight to protect the integrity of our elections” (Salcedo, 2021) [28]. Alabama Attorney-General, Steve Marshall, Chairman of the Association, claimed ignorance of and disassociated himself from, the robocalls after the resultant insurrection claimed 5 lives. Ali Alexander, organizer of the “Stop the Steal” Movement, named three House of Representatives Members and hardline Trump supporters-Andy Briggs (R-Arizona); Paul Gosar (R-Arizona) and Mo Brooks (R-Alabama) – as co-planners with him for the January 6 insurrection, saying: “We four schemed up of putting maximum pressure on Congress while they were voting ... We will not go quietly. We’ll shut down this country if we have to” (Armus, 2021) [3].

During that “SAVE AMERICA” Rally, Rudy Giuliani had called on the mob to embark on “Trial by combat” while President Trump had told them: “And after this (rally), we’re going to walk down ... we’re going to walk down ... to the Capitol and we’re going to cheer on our brave Senators and Congressmen and women” More importantly, Trump reminded the insurrectionists that “Mike Pence didn’t have the courage to do what should have been done to protect our country and our Constitution, giving States a chance to certify a set of corrected facts, not the fraudulent or inaccurate ones which they were asked to previously certify. USA demands the truth.” Trump then told the mob: “If you are not going to fight like hell, you’re not going to have a country anymore!” Overwhelming majority of the hoodlums came from outside Washington. It is on record that about 300 different right-wing militia groups with about 15,000 – 20,000 well-armed, often military-trained members, active in every State of the Union” - white supremacists, conspiracy theorists, civil rights, women rights, gay rights groups and apocalyptic cults - comprising QAnon, the Proud Boys, the Three Percenters, “Stop the Steal”, Nooses, Black Hebrew Israelites, National Anarchist Movement (NAM), Oath Keepers, the Groyper Army and other radicalized pro-Trump supporters (Hoffman, 2020, Steinhauer, 2020, Tavernise and Rosenberg, 2021) [16, 34]. The insurrectionists, who included veterans of military and law enforcement, and who reportedly “fired chemical irritants, bricks, bottles and guns” were equipped with weapons ranging from firearms and projectiles to steel pipes, with “a truck packed with 11 home-made bombs, an assault rifle and a handgun” traced to Lonnie Leroy Coffman of Falkville, Alabama who had since been charged with Federal offence (Polantz et. al., 2021) [29]. The insurrection was predicted: “Heavily armed, right-wing groups are poised to rebel against the election if President Trump Loses – an extraordinary danger to U.S. Democracy” (Hoffman, 2020) [16].

The probable aims of the insurrectionists were four-fold: “to capture and assassinate elected officials of the United States government” deemed to be “hostile governing force” who certified the U.S. Presidential election”; disruption or delay of the certification by Congress of the Electoral College vote as a prelude to imposition of martial law and re-organization of elections in the battleground States in a manner favourable to Trump, as earlier scripted by Roger Stone; pressuring and bludgeoning Congress and Vice-President Pence to overturn the results in favour of Trump; and assisting Trump to maintain the Presidency through force, if necessary (Sanger, 2020; Polantz et.al., 2021) [29]. The insurrection which left 5 persons dead, including a U.S Capitol Police Officer, Brian D. Sicknick, has variously been qualified or described as “frightening”, “shameful”, “condescending”, “unbelievable”, “anarchy”, “sedition”, “humiliating”, “utterly horrifying”, “a uniquely American monster”, “Trump-incited insurrection”, “domestic terrorism”, “disgraceful and distressing violence”, “mayhem by mob against the bastion of democracy and the rule of law”, “an attempted coup”, “unprecedented and direct attack on democracy”, “Trump-instigated nightmare”, “Capitol Hill insurrection”, “awful beyond words”, “a dark day for democracy”, “a big gift” which Trump has handed over to Putin of Russia as a tool for castigating the United States; “an engineered procedural coup”; “armed insurrection fueled by the President”, “an affront on American

democracy”, “an American carnage which puts paid to Ronald Reagan’s ‘shining city on a hill’ myth”, “violent attempt to frustrate the lawful and proper transition of power”, and “a doomed last-ditch effort to reverse the outcome in Congress.”

Consequences of the Capitol Insurrection

The consequences of the Trump-inspired Capitol insurrection were many: Firstly, the Tech behemoths – Facebook, Twitter, Microsoft, Google, Instagram, Apple, Amazon – either permanently blocked President Trump’s account or temporarily incapacitated it. Secondly, Corporate America - Deutsche Bank, Goldman Sachs, Citigroup, Morgan Stanley, JPMorgan Chase & Co., Marriot International, Hallmark, Dow Chemical, AT&T, Coca Cola, Blue Cross, American Express, Airbnb, Ford Motors, etc - froze donations (through Political Action Committee (PAC) and super-PAC donations) to the Republican Party and the 139 Republican Congressmen who voted against certifying the results of the 2020 Presidential election and who campaigned to sustain the falsehood aimed at destroying the integrity and credibility of the election. Thirdly, the Universities stripped Trump of honorary degrees. Fourthly, Trump was impeached (232: 197: 4 votes) by Congress based on the charge of “incitement to insurrection” which “threatened the security and integrity of democratic institutions”, thus making him the only U.S. President who has earned the dubious distinction of being impeached twice, with prospect of being barred by the Senate for holding public office in future, as the Impeachment Article is transmitted to the Senate. Trump had thus led the Republican Party to lose the Presidency, the Senate and the House of Representatives, in one fell swoop. As one critic points out “It took 200 years for the country to rack up its first two presidential impeachments. Trump’s malfeasance has led the country down that awful divisive path twice in just more than a year” (Collinson, 2021) ^[9]. Fifthly, New York City terminated business contracts with Trump Organization whose annual net profit from such contracts is \$17 million. Sixthly, Trump, consciously or inadvertently facilitated the fulfillment of the apocalyptic end prophesied for his administration. Collinson (2021) ^[9] provides, perhaps, the most damning synopsis of the Trump disgraceful end:

President Donald Trump is leaving America in a vortex of violence, sickness and death and more internally estranged than it has been for 150 years. Health officials fear 5,000 Americans could soon be dying everyday from the pandemic Trump ignored. The disorientating to this shocking term has the nation reeling from a Washington insurrection ... From incitement to insurrection at Capitol to nationwide radicalization in DC and all the 50 States ...

Republican Top Leadership in Connivance with President Trump

Not only Trump but also Republican leaders, in and out of Congress, were guilty of stone-walling Biden’s transition process by standing by the sidelines while supporting Trump’s unprecedented denial of election result, despite his numerous lawsuits being thrown out by the Courts. Republican leaders and supporters rejected the election results with recklessness, callousness and impunity which betrayed anti-democratic and racial sentiments: As a scholar candidly observed: “What GOP (Republicans) Really Mean

by ‘Voter Fraud’ (Is That) If You Didn’t Vote For Trump, Your Vote Is Fraudulent”:

Black votes are considered illegitimate, even if they are legally cast. Those votes could be legitimate if more of them were cast for the Republicans, but as long as they are cast for the Democrats, they can be discussed as the result of Democratic brainwashing. Demanding that Black votes be tossed out is not anti-democratic because they should not have counted in the first place (Serwer, 2020) ^[30].

But in his Valedictory Speech on January 20 as Biden’s Inauguration was going on, Trump lied: “We fought for the principle that every citizen is entitled to equal dignity, equal treatment and equal rights because we are all made equal by God. Everyone is entitled to be treated with respect, to have their voice heard, and to have their government listen ...” Admittedly, the predatory instinct and the compulsion to dominate exhibited by Trump as well as the stranglehold he maintains over the Republican Party had meant that the Behemoth and the “Frankenstein’s Monster” called Trump is the Republican Party, while Trumpism is the “religion” which ensures complete subservience of leaders of the Party to Trump’s whims and caprices. Essentially, Trumpism has come to mean unquestionable acceptance of Trump’s pronouncements and declarations “no matter how false, contradictory or exaggerated” they may be, as any other Partyman holds a view opposed to Trump’s at the risk of excommunication, including being nick-named “RINO” (Republican in name only). Trump’s stranglehold over the Republican Party has also transformed the GOP (Grand Old Party) into a “Gang of Pirates.” For instance, one of Trump’s lawyers, Joe d’Genova, had reportedly ordered that Christopher Krebs, Trump’s former Director of Cybersecurity and Infrastructure Security Agency (CISA), who was removed by Trump for truthfully stating that the 2020 Presidential Election was free and fair election was the most secure in America’s history should be “taken out at dawn and shot.” In the post-election period, armed protesters appeared in the homes (not offices) of officials to compel them to overturn election result, with Trump supporters plotting to kidnap key officials, including the Michigan Secretary of State, Jocelyn Benson; Michigan Governor, Gretchen Whitmer (Serwer, 2020) ^[30]. For fear of recrimination, Republican leaders, including Congressional Republicans, stood firmly by Trump in claiming that the election was stolen. Of the 249 Republicans in the Senate and the House of Representatives surveyed by 25 Washington Post staff who sought to know from them which of the two Presidential Candidates (Democratic or Republican) won the 2020 Presidential Election, 208 declined to take a definite stand over Joe Biden’s election as the 46th President of the United States; 37 said Biden won while 2 said Trump won, even as President Trump sustained his unsubstantiated claims widespread fraud in the election. There was suspicion that if Trump refused to ever acknowledge Biden’s victory and kept roasting those Republicans who did – and who “collaborated” with the new Administration – something was going to crack, and that the splintering of the Republicans into the principled Conservative Republican Party – comprising Mitt Romney, Lisa Murkowski and like minds; and “the unprincipled Trump Republican Party – such as the 126 House of Representative Members who joined the Texas Attorney-General, Ken Paxton, and others.

After the Supreme Court verdict which found no single

electoral fraud, the Electoral College ratification of Joe Biden by 306 to President Trump's 232 votes created a watershed—a landmark, milestone or constitutional threshold by which the Republican leadership could start dealing with Vice-President Biden as the President-Elect, though still admitting that President Trump continued obviously to have “all the legal options available to him” (Viebec et al., 2020)^[39]. Despite his definitive defeat at the Electoral College, Trump remained defiant and still in search of alternative slates of electors from the battleground States of Georgia, Pennsylvania, Wisconsin, Nevada, Michigan and Wisconsin (Corasaniti and Rutenberg, 2020). Rep Mo Brook (R-Alabama) and Rep Paul A. Gozar (R-Arizona). 129 Republican Congressmen supported Trump's continuing but fruitless legal efforts to claim victory. However, Senate Majority Leader, Senator Mitch McConnell, Senator Ben Sasse (R-Nebraska), Senator Mitt Romney (R-Utah) all acknowledged Biden's victory and congratulated him. Trump's response (by tweet) to McConnell was instantaneous but cryptic: “@realDonaldTrump. Mitch, 75,000,000 VOTES, a record for a sitting President (by a lot). Too soon to give up. Republican Party must finally learn to fight. People are angry.” Rep. Paul Mitchell (R-Michigan) announced that he had “disaffiliated” from the Republican Party and become an Independent, as Trump's legal Team had so far failed to provide substantive evidence of fraud. Moreover, he could not tolerate “unfounded conspiracy theories” and the “Steal Rallies” organized by Trump.

Conclusion

The 2020 U.S. Presidential Election between incumbent President Donald J. Trump of the Republican Party and Joe Biden of the Democratic Party was a battle for the soul of America. In that battle, democracy prevailed, despite the odds generated by President Trump's spurious and unsubstantiated claims of electoral fraud, intended to enable him perpetuate himself illegally in office. For all of the pandemonium and the turmoil that President Trump stirred with his conspiracy theories and floodgate of lawsuits, the 2020 U.S. Presidential Election was won neat and square by Vice-President Joe Biden. The lesson the paper underscores is that what Americans share is far more important than what divides them—a deep and profound belief in democracy and freedom, and frustration over the collapse of norms that promote decency in public life. Despite the undue pressure Trump exerted to compromise them, institutions which manage and oversee elections; the Courts; the General Services Administration, the Electoral College; and the Congress all stood their grounds and exhibited strength and impartiality, discharging their respective functions creditably, without minding whose ox is gored - with the Courts thrashing out Trump Campaign's 60 lawsuits and handing down judgments in all of them within the space on one month!

President Trump will be remembered for many negative things: for refusing to commit himself to a peaceful transfer of power, if defeated in the 2020 election; for sitting tight, refusing to concede defeat in a free and fair election rated as “the most secure election in the history of the United States”, thereby making the United States as the beacon and symbol of democracy to share dubious distinction with some banana republics who have a penchant for “sit-tightism”; for making “unprecedented” or “unparalleled”

efforts to overturn the result of a free and fair election; for violating one of the cherished norms of American democracy – smooth and peaceful transfer of power, no matter how acrimonious the electioneering campaigns might have been; for inadvisedly taking the “extraordinary” step, as head of one branch of government (the Executive), and of inciting insurrectionists to attack functionaries of another branch of government (Congress), even where he had the constitutional responsibility of protecting them, culminating in Trump being impeached a second time, for betraying the trust and oath of his high office (on the charge of incitement of insurrection). President Trump exercised a stranglehold over a majority of his Republican Party members and swayed them to unconscionably believe his conspiracy theories that the election was fraudulent, even when the courts had dismissed Trump's 60 cases and the Electoral College had certified the election by 306:232 in favour of Joe Biden. Trump thus transformed the GOP (Grand Old Party) into what some jocularly refer to as a “Gang of Pirates.” Trump will also be remembered as the President in recent memory who left the White House grudgingly and in disgrace, without Handing Over Notes, while boycotting his successor's inauguration - the traditional presidential transition protocols - thereby breaking centuries-old conventions which typify American patriotism, decency and peaceful transfer of power. Though Biden acknowledged in his inauguration speech that he had received a “very generous” letter from the ex-President, the contents of such a letter are better imagined than described, given the fact that Trump left the White House still living in denial, still refusing to concede defeat.

Given the multifarious processes for producing and inaugurating a President for the world's most powerful nation (namely, popular election; GSA ascertaining the “apparent” winner, with a view to authorizing the commencement of the transition process; State Certification of election results; Electoral College certification of electors; and Congressional certification of Electoral College votes – with each constituting a potential landmine), this paper calls for the institutionalization of international best practices for smooth and peaceful presidential transition in the U.S. through electoral reforms that would entrench only plebiscitary democracy, which allows the popular vote alone to determine who a President of the United States is. This is a prescription for avoiding “a nightmare scenario” such as we witnessed in the Trump-incited insurrection of 6 January 2021.

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