



## WE THE PEOPLE

BY DAVID ADLER, *The Alturas Institute*

### Trump's Backhoe: A Metaphor for Unconstitutional Demolition

President Donald Trump's backhoe gouged, slashed and ultimately demolished the East Wing of White House last week, an unauthorized, illegal act and a metaphor for the way in which he has, since January 20, purported to rule, not govern, while shredding the constitutional provisions, norms and laws that have well served this nation for more than two centuries.

The objection here is not to remodeling the East Wing, though sentiments, historic moments and traditions urge restraint. Indeed, previous presidents have made significant changes in that part of the White House where First Ladies conducted important business, hosted memorable receptions and advanced worthy causes. It was in the East Wing that Nancy Reagan launched her "Just Say No Campaign" to fighting drugs. Betty Ford called the East Wing the "heart" of the White House.

The objection, rather, is to Trump's disregard of laws that require the president to work in concert with various national planning agencies when remodeling the White House, a national treasure. But Trump's disdain for federal laws and regulations, like his consistent defiance of constitutional principles, procedures and processes, after nine months in office, it is painful to say, is "old" news. As a backhoe, he proceeds as he pleases, tearing down the oaths, structures and institutions that have confined executive power since George Washington was sworn into office. The "Take Care Clause" in Article II commands the president to "faithfully" execute the laws. For an authoritarian like Trump, however, who has asserted "absolute" power, constitutional commands, like constitutional limitations, are irrelevant.

Trump's authoritarian presidency has been emboldened by a feckless Republican-controlled Congress, eager to do his bidding, a willing participant in shredding enumeration of powers, separation of powers and checks and balances, complicit in its surrender of institutional dignity and integrity, and its own demise, resembling the self-humiliation of the ancient Roman Senate that ceded its power to the executive and marked the end to the Roman Republic. The president lacks constitutional authority to dissolve Congress, but the House of Representatives, under Speaker Mike Johnson, has essentially achieved the result by deciding to shut down "the People's House," retreating to the sidelines, aiding and abetting Trump's usurpation of foundational legislative

powers, including authority over spending, appropriations, taxing and warmaking. It is no overstatement to say that Congress is a shell of the First Branch of government created by the framers of the Constitution.

The list of offenses grows daily. On October 27, the House Oversight Committee fulfilled another long-standing wish of President Trump when it sent a letter to Attorney General Pam Bondi, in which it concluded that the pardons granted by President Joe Biden, signed by autopen, had not been directed by the president and were, therefore, "void." This roadmap is clear: Biden's pardons are meaningless. Bondi will enjoy an open lane to prosecute Trump's "enemies," including members of the January 6 Committee, to whom Biden wisely granted preemptive pardons in anticipation of Trump's retribution campaign. It may well be that Trump's hatred of Biden stems less from the fact that he lost the 2020 election (Trump knows he lost) than the fact that the preemptive pardons, until now, have thwarted his prosecutorial revenge against committee members.

The theoretical removal of this roadblock rests on a slender reed, but it purports to provide Bondi with a green light to pursue those pardoned by Biden. The question of whether a pardon can be declared "void" will be left to the courts. History teaches that there are only a few, exceptional, grounds for reversing a presidential pardon, but vitiation of a pardon could include fraud, bribery and the imposition of unconstitutional conditions, in the case of a "conditional pardon." This possibility requires further discussion, and though it seems far-fetched that a court would overturn pardons issued by Biden's autopen, who, among us, could have predicted that the Supreme Court would assert a doctrine that essentially clothes the president immunity from criminal prosecution?

The GOP-controlled Congress has long since abdicated its constitutional responsibilities, nourishing the entrenchment of an authoritarian administration that has no desire to continue the republican experiment launched in 1776. Indeed, Trump's own acts could be easily substituted for the colonists' grievances against King George III that they announced to the world in the Declaration of Independence on July 4, 1776. The oversight committee has just furnished citizens with yet another grievance.

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# Back in the day

## Underwood

COMPILED BY SHELLY WALLACE  
from the Files of the Central McLean News Journal

### 20 years ago, Nov. 2005

The Underwood Fire Department was called to the Doyle Johannes farm on Oct. 27. Fire Chief Oliver Repnow said a semi tractor and trailer belonging to Jim LeRoy, which was hauling a load of hay bales, caught on fire. The trailer was fully loaded with bales.

Plans have changed, but the goal remains the same for the Underwood Area Economic Development Committee, and that is to hire a full-time economic development director.

One more step has been taken that will allow construction of an ethanol plant between Underwood and Washburn. Jeff Zueger with Blue Flint Ethanol was on hand in Washburn Tuesday to update county officials on progress of the proposed ethanol plant. The plant is scheduled to be built on the east side of Great River Energy's Coal Creek Station.

Delbert and Cletus Saylor will celebrate their 50th wedding anniversary Sunday. They were married Nov. 6, 1955, in Underwood.

The Underwood Comets found themselves having to take the long way around if they wanted to advance to the regional tournament, after falling in first round action to Sheridan County Monday by the score of 3-0. Game scores were 25-17, 25-17, and 25-9. The Comets were led at the net by Melissa Lawson's six kills, while Bethany Holm made good on four kills. Lawson and Lisa Nostdahl were each good for a pair of blocks, while Cassidy Blotske led the way in sets with six assists, and in digs with 11.

Race fans have one more opportunity to cheer on their favorite driver at the McLean County Speedway's Enduro Race set for 2 p.m., Nov. 13, at the Speedway.

### 30 years ago, Nov. 1995

Denny Portra was elected to the Underwood City Commission in the special election. He will serve the remainder of a commissioner term vacated by the resignation of Delene Brockel. Portra secured 161 votes. Dean Cottingham registered as a write-in candidate and garnered 101 votes.

There were 263 ballots cast, regular elections usually draw close to 300 voters. Officials call this an excellent turnout.

The Underwood Comets gave Region 7 girls basketball a big wake-up call last Saturday night when the third place team from District 15 stunned the reigning state champions, Hazen Bison, knocking off the state-ranked team by a score of 41-33.

"It was all defense," commented an exhilarated Underwood coach

Toni Cottingham. Underwood's 36 rebounds, compared to Hazen's 27, was also a factor as Underwood's Jessica Cottingham hauled down 11 boards. She also paced the Comets with 15 points offensively.

### 40 years ago, Nov. 1985

Members of the Underwood Park Board joined the city commissioners at their regular meeting Monday evening to discuss financial difficulties with swimming pool operations.

A tentative 1986 budget prepared by the park board falls \$9,000 short in the income department; \$6,000 of that amount is the expected cost of replacing the pool heater. Maintenance costs have been rising, and donations of gambling funds have dried up. They will be asking for an increase from 10.2 mills to 15 mills.

Curt Radke downed a five-point buck Saturday, just three days before the end of the first session of bow hunting. Curt had been out all but four days since the season started, determined to get a good one.

"We were disappointed in the fact that we lost and with our finish, but if you look back, we had a great season. One that completely exceeded our expectations," said Underwood-Riverdale football coach Kevin Dockter.

The Comets were defeated 20-0 Tuesday night in Velva in the quarterfinal round of the state Class B 11-man football playoffs. After breezing to the conference title and their first ever entry into playoff competition, Dockter felt his team put it all together. Tuesday's disappointing loss was the only blemish on a shining 1985 fall sports record.

### 50 years ago, Nov. 1975

Underwood Drama Club has been rehearsing all month for their production of "Huckleberry Finn." Cast members include Dale Leidholm, Mark Milkey, Terry Brown, Wes Lutz, Marcia Guenther, Tami Brown, Beth Place, Carla Preisinger; Kim Olson, Sandra Burrowes and DeAnn Miller.

Radke's Fairway is celebrating their Grand Opening this week in their new building. The new structure was built over the summer by North Star Steel of Minot and measures 50' x 116'. A new parking lot has also been laid adjacent to the new building for customer shopping convenience.

All money needed for construction of a swimming pool in Underwood has been pledged. Max Guenther announced at the city commission meeting Monday night that all of the money has been pledged. All that is left is to select a site and have the site approved by the State Health Department and the Bureau of Recreation for the matching funds.

### 55 years ago, Nov. 1970

"Poor Richard," a comedy in three

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