



US democracy still the strongest in the world

The impeachment trial of Donald Trump ended with the former President being acquitted by the Senate. This concluded more or less the aftermath of the last US Presidential elections and gives an opportunity to reflect. Ever since the events on January 6th the debate about the state of the US democracy has been fuelled with pessimism and negativity. Obviously also I was shocked when I witnessed a herd of assorted riff raff climbing the steps of the Capitol bringing with them various symbols of hate and divisiveness. Yet, in spite of all of these gruesome images I also wholeheartedly disagree with the view of many commentators and critics both in and outside the United States that these events have damaged, some even say permanently damaged, the US democracy. If it were to have proven only one thing it is how strong and resilient the US democracy really is and how brilliant those founding fathers were when they designed the lay-out for a more perfect Union.

The U.S. Constitution is based on several founding principles like Majority Rule/Minority Rights, Separation of Power, Checks and Balances, Rule of Law and Federalism (States and the Federal Government have their own responsibilities in which the integrity and authority of the individual states in general is protected). These principles were intended to prevent any individual or institution to be able to exercise too much power over the People thus ensuring the ideal of "life, liberty and the pursuit of happiness for all".

The people are represented in the Congress where in the House of Representatives the distribution of seats reflects the population size of the individual states, however, in the Senate (the other body of the US Congress) only 2 seats are assigned per state regardless of its demographics. This structure facilitates a balance between the popular representation via the House and the interests of also the smaller states via the Senate. The Electoral College can be explained in the same way as well because in a subtle way the College helps to ensure that a couple of large states will not have a decisive and permanent advantage over smaller states when electing a President. For this reason, the Electoral College should not be replaced with the cruder system of a popular vote. Please, remember in this instance also the founding principle of majority rule and minority rights.

Already in the first days of his presidency former President Trump noticed that his executive orders were not necessarily a way to get things done quickly. For example, the travel ban was quite quickly blocked by several US federal courts. President Biden actually had a similar experience with some of his executive orders (ironically also on the topic of immigration) proving that Checks and Balances work both ways. In spite of withdrawing the U.S. from the Paris Climate Accord by the Trump administration individual states were not prevented from maintaining their state climate legislation proving that also the concept of Federalism is properly embedded in the US democracy.

After the November 3rd election President Trump's legal team started more than 60 legal cases in attempts to either disqualify votes or in some other form change the outcome of the election. Ruling after ruling showed these claims had no merit. Even the US Supreme Court which included three Justices appointed by President Trump himself was very quick to redirect the claims to the garbage bin. Separation of Powers and Rule of Law prevailed.

Finally, on that infamous Wednesday January 6th, 2021 prior to the joint session of Congress Vice President Mike Pence issued a letter stating that he cannot do anything else but to preside over the certification of the electoral votes. In this letter he specifically wrote: "*It is my considered judgment that **my oath to support and defend the Constitution** constrains me from claiming unilateral authority to determine which electoral votes should be counted and which should not*". This sentence demonstrates the brilliance of the founding fathers involved in writing the constitution which is that the oath taken by legislators and also the Vice President makes them declare allegiance to the Constitution of the United States and not to an individual, a president or some concept of a monarch(y). Therefore, Vice President Pence was empowered to disregard the orders from his "boss" and do the right thing that January 6th.

The above shows that even though over the past four years the US Democracy has been tried and tested in words, legal battles and on January 6th both physically and violently the system worked. President Trump being acquitted in

the Senate does not diminish this in any way. Also with the acquittal democracy was at work and a sufficient minority was successful in blocking a conviction... just as the Constitution allowed for.

My confidence in the US democracy and the way its institutions have been organized and empowered has not shrunk it has only grown. In my opinion the strength of the democracy and the independence of the legal system also gives entrepreneurs and businesses the confidence that investments in the United States are safe. That an honest thriving business that has been built with hard work and good business smarts will be protected and can continue to grow because it is supported and protected by an independent court system. Outside the United States I hear many people criticizing this more perfect Union for being a legal society, there is only one thing I can say to this: "I am glad it is".

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