

NOTES ON A NIGHTMARE #4:

THE **CRIMINALITY** OF  
DONALD  
TRUMP

**AT THE END OF ALL THIS,  
THE PRESIDENT SHOULD  
FACE PROSECUTION**

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First published in  
CURRENT AFFAIRS

02 APRIL

2020



*To People,*

*may they eternally be of benefit to each other.*



# In New York City, some days the sirens

are almost nonstop, according to my co-editor who lives there. Nearly 1,400 people have died<sup>1</sup> in the city and the papers are full of grim report after grim report—photos of refrigerated trucks being used as makeshift morgues, heartbreaking personal stories like an ER doctor dying in his husband’s arms<sup>2</sup> a few days after coming down with the disease. When I last wrote, on March 25, there had been under 700 deaths in the United States. As of yesterday, April 1, the number is 5,100. Our trajectory does not look good.

Because the disease preys especially on older people, we are already losing some legends. Ellis Marsalis died today. Manu Dibango<sup>3</sup> before that. John Prine has been hospitalized,<sup>4</sup> but is reportedly in stable condition. Michael Sorkin, who long served<sup>5</sup> as architecture critic for the *Nation*, is dead at 71. I’ve been going back over their work; I have a book of Sorkin’s essays, and am listening to an album by the Ellis Marsalis Trio.

The president, thank God, appears to have backed off the insane position he had embraced last week, when he was repeating

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<sup>1</sup> <https://www.nytimes.com/2020/04/01/nyregion/coronavirus-new-york-update.html>

<sup>2</sup> <https://www.nydailynews.com/coronavirus/ny-coronavirus-dr-frank-gabrin-er-doctor-dies-20200401-qzzgepnx5vbhlij2cqxvngfzre-story.html>

<sup>3</sup> <https://www.nytimes.com/2020/03/24/arts/music/manu-dibango-dead-coronavirus.html>

<sup>4</sup> <https://abcnews.go.com/Entertainment/wireStory/singer-john-prine-stable-condition-wife-69878185>

<sup>5</sup> [https://www.washingtonpost.com/local/obituaries/michael-sorkin-who-championed-social-justice-through-architecture-dies-at-71-of-coronavirus/2020/03/30/f1615672-728f-11ea-a9bd-9f8b593300d0\\_story.html](https://www.washingtonpost.com/local/obituaries/michael-sorkin-who-championed-social-justice-through-architecture-dies-at-71-of-coronavirus/2020/03/30/f1615672-728f-11ea-a9bd-9f8b593300d0_story.html)

a nonsensical Fox News talking point about how “the cure must not be worse than the disease.” Trump has swung wildly, and is now claiming that if we’re lucky, we’ll have a total number of deaths in the low hundreds of thousands,<sup>6</sup> even with strict social distancing measures. He has abandoned his plan to get the churches packed on Easter Sunday. Trump seems to have realized that if he keeps promising things that are impossible, eventually people might notice that they have not happened.

Florida is finally putting a stay-at-home order in place after the governor spent weeks insisting one wasn’t necessary. (Though church services are excepted<sup>7</sup> from the order, as they are apparently “essential.”) I fear for Florida. The governor is a Trump-worshiper who has declined to take basic public health measures that are necessary to keep people from dropping dead by the hundreds of thousands, but at every level this state is dysfunctional—it’s the kind of place where people’s elected officials will advise them to blow a hairdryer up their nose to cure coronavirus.<sup>8</sup> I am told that the hospital system here is completely unprepared; decentralized and privatized, it is incapable of coordinating the movement of supplies and personnel to where they are needed. We are, of course, a state full of old folks, and Sarasota alone has 40 nursing homes or so. If the disease gets into these places, the casualties will be overwhelming. With the state now having lost a critical few weeks, I am concerned that before the end of April, Florida will be the Lombardy of America.

Most Americans do not understand how badly their institutions are failing them and how angry they should be. A “free market” approach to the distribution of precious N-95 masks has led to a

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<sup>6</sup> <https://www.axios.com/trump-coronavirus-models-two-weeks-0dad0224-ef4e-457b-9e83-143d38d0799c.html>

<sup>7</sup> <https://www.orlandoweekly.com/Blogs/archives/2020/04/01/floridas-statewide-stay-at-home-order-still-allows-churches-to-gather-followers-during-coronavirus-outbreak>

<sup>8</sup> <https://nypost.com/2020/03/23/florida-politician-says-coronavirus-cured-by-blowing-hairdryer-up-nose/>

free-for-all, with masks and other critical medical supplies reportedly being bought up by foreign buyers and shipped out of the country by the millions,<sup>9</sup> even as U.S. hospitals are in desperate need. I am reminded of how the Irish were forced to export food during the Potato Famine as the population starved, for the good of the almighty Market. Usually this is the sort of thing that happens to colonized nations, and it's grimly ironic that it's happening here. In fact, there was no reason for it to happen here at all, but the president is a combination of (1) utterly inept and (2) pathologically committed to letting capitalism sort out the problem in whatever way it sees fit, and so we are now in the absurd world of sending price-gouged masks to the rich of other countries while domestic hospitals are having to ask construction workers for spare masks.<sup>10</sup>

The president's behavior has been despicable even by his low standards. He has been bragging about the TV ratings<sup>11</sup> of his nightly coronavirus press conferences, getting into petty spats with governors and reportedly withholding critical supplies from those<sup>12</sup> who displease him, and has suggested that states<sup>13</sup> and hospitals<sup>14</sup> are overstating the amount of medical equipment they need. (Jared Kushner has helpfully<sup>15</sup> offered his opinions, too, saying "I'm doing my own projections, and I've gotten a lot smarter about this. New York doesn't need all the ventilators.") Trump has proposed vague, bizarre plans like "quarantining New York City" before backing off.<sup>16</sup> As Ryan Cooper<sup>17</sup> writes for the

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<sup>9</sup> <https://www.forbes.com/sites/daviddisalvo/2020/03/30/i-spent-a-day-in-the-coronavirus-driven-feeding-frenzy-of-n95-mask-sellers-and-buyers-and-this-is-what-i-learned/#fe1ca7056d44>

<sup>10</sup> <https://ohsonline.com/articles/2020/03/19/construction-companies-asked-to-donate-masks-to-hospitals-for-covid19.aspx>

<sup>11</sup> <https://www.vanityfair.com/hollywood/2020/03/trump-coronavirus-press-conference-ratings>

<sup>12</sup> <https://www.cnn.com/2020/03/27/politics/michigan-governor-medical-supplies-cnntv/index.html>

<sup>13</sup> <https://www.cbsnews.com/news/trump-hannity-coronavirus-ventilators-new-york-30000/>

<sup>14</sup> <https://www.washingtonpost.com/politics/2020/03/29/trump-bizarrely-blames-hospitals-mask-ventilator-shortages/>

<sup>15</sup> <https://twitter.com/michelleinbklyn/status/1245424003818369029>

<sup>16</sup> <https://www.politico.com/news/2020/03/28/trump-new-york-quarantine-coronavirus-152812>

<sup>17</sup> <https://theweek.com/articles/906130/trump-incapable-taking-coronavirus-outbreak-seriously>

*Week*, while the press continues to wishfully depict Trump as somehow settling into the role of crisis leader, it is increasingly clear that we are simply witnessing the tragic consequences of putting a con man in charge of a vast administrative state and asking him to make it function during a crisis.

I do think at the end of this Trump ought to be prosecuted, though with Joe Biden facing credible new sexual assault allegations<sup>18</sup> (that Democrats are inexplicably intent on ignoring until they inevitably blow up during the general election), it is more likely that the crisis will conclude with Trump being reelected than facing a trial by a jury of his peers. Trump has set the tone for the conservative response to coronavirus, which was initially: It's just like flu, let's not disrupt the economy, don't panic. Now, Trump's low-end projections would make COVID-19 10 times as deadly as a normal seasonal flu, so the conservatives have pivoted to "nobody could have known." Ben Shapiro, for example, is saying<sup>19</sup> that "no major Democrat" took the virus seriously until March. In fact, even Joe Biden was warning<sup>20</sup> in late January that the administration needed to act, but the framing is wrong to begin with: A presidential administration has access to privileged information, and it's fair to hold the president to a higher standard than people who are not the president. He has access to the world's most sophisticated intelligence network, and can therefore be expected to know a thing or two. For example, the White House was warned<sup>21</sup> by its economists last year of the potentially catastrophic consequences of a pandemic, and intelligence agencies alerted<sup>22</sup> Trump in January and February to the possibility for

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<sup>18</sup> <https://www.currentaffairs.org/2020/03/tara-reade-tells-her-story>

<sup>19</sup> <https://twitter.com/benshapiro/status/1245366814487371779>

<sup>20</sup> <https://www.usatoday.com/story/opinion/2020/01/27/coronavirus-donald-trump-made-us-less-prepared-joe-biden-column/4581710002/>

<sup>21</sup> <https://www.nytimes.com/2020/03/31/business/coronavirus-economy-trump.html>

<sup>22</sup> [https://www.washingtonpost.com/national-security/us-intelligence-reports-from-january-and-february-warned-about-a-likely-pandemic/2020/03/20/299d8cda-6ad5-11ea-b5f1-a5a804158597\\_story.html?utm\\_campaign=wp\\_news\\_alert\\_revere&utm\\_medium=email&utm\\_source=alert&wpsrc=al\\_news\\_alert-politics--alert-national&wpmk=1](https://www.washingtonpost.com/national-security/us-intelligence-reports-from-january-and-february-warned-about-a-likely-pandemic/2020/03/20/299d8cda-6ad5-11ea-b5f1-a5a804158597_story.html?utm_campaign=wp_news_alert_revere&utm_medium=email&utm_source=alert&wpsrc=al_news_alert-politics--alert-national&wpmk=1)

coronavirus to become a serious pandemic. A recent *Guardian report*<sup>23</sup> documents how the administration’s response to the threat has been a “fiasco of incredible proportions,” as Trump ignored a set of blueprints from health advisors who had served in his own administration. We are losing good people because of this, and I feel I better understand how National Health Service<sup>24</sup> founder Aneurin Bevan felt when he said<sup>25</sup> he would “hate the Tories” until the day he died because they had “condemned millions of first-class people to semi-starvation.” How can I feel anything but rage knowing that our ignorant president, proudly contemptuous of expert opinion and infinitely confident in his own ability to predict the future, has been unwilling to take the simple steps necessary to aggressively coordinate the production and distribution of life-saving supplies? And don’t get me wrong, I hate the Democrats too. Nancy Pelosi is using the opportunity of the pandemic to float giving a huge handout to the super-wealthy in blue states.<sup>26</sup> I cannot begin to convey my level of disgust with our elected officials, who have chosen to let millions go unemployed—losing their health insurance and needlessly facing eviction and foreclosure—when they could simply pay salaries, provide free universal healthcare, and freeze rent and mortgage payments. Americans need to know that their economic pain is a choice, and it is being imposed on them by the decisions of politicians who do not care about them.

Nowadays, it is only the most hardcore free marketeers who cling to the “it’s just flu” line. The Mises Institute has, rather incredibly, called for an immediate end to the economic shutdown,<sup>27</sup> on the grounds that “freedom really is more important than security,” meaning that it would be better for millions to die

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<sup>23</sup> <https://www.theguardian.com/us-news/2020/mar/28/trump-coronavirus-politics-us-health-disaster>

<sup>24</sup> <https://www.currentaffairs.org/2020/02/how-britain-got-its-nhs>

<sup>25</sup> <https://www.theguardian.com/news/1948/jul/05/leadersandreply.mainsection>

<sup>26</sup> <https://www.nytimes.com/2020/03/30/business/economy/coronavirus-economic-stimulus-taxes.html>

<sup>27</sup> <https://mises.org/wire/end-shutdown>

than for the economic machine to halt for a moment. And of course they add that:

To date, COVID-19 deaths in the US are far fewer than deaths in ordinary flu seasons or from past pandemics such as the H1N1 virus. This understanding is critically important to put the virus, and the government response to it, in perspective.

There is a flat disbelief in the validity of epidemiology as a science embedded in this. But then again, as my colleague Dan Walden explains in an excellent new essay,<sup>28</sup> the capitalists have always been religious—after all, they believe we are watched over by a great Invisible Hand that allocates resources efficiently and ensures that each receives her just deserts. Sadly, we are discovering the deadly consequences of living in a country governed by a cult.



It's hard to find joy right now, but we can at least take satisfaction from the humiliation of professor Richard Epstein. In my last note I mentioned Epstein's essay on coronavirus, in which he suggested we were in the middle of a kind of mass hysteria driven by faulty models. Epstein's article received a lot of traction in conservative circles, including drawing the attention of those advising the president. He predicted that there would be a maximum of 500 deaths in the country from the disease. When the country passed that number, Epstein admitted he had made an error, and said the correct number<sup>29</sup> "should have been 5,000." Since we have just crossed 5,000, I am not sure what he would say now.

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<sup>28</sup> <https://www.currentaffairs.org/2020/03/the-cults-of-capital>

<sup>29</sup> <https://reason.com/2020/03/24/richard-epstein-cops-to-a-stupid-gaffe-in-controversial-coronavirus-essay-that-caught-trump-admin-attention/>

In fact, if Epstein wants to salvage what's left of his reputation, I don't think he should say anything at all. He was recently interviewed<sup>30</sup> by Isaac Chotiner of the *New Yorker*, whose interrogations are so legendary that this magazine has lovingly parodied them.<sup>31</sup> A few simple questions revealed Epstein to be totally out of his depth on the subject, and he began babbling that his critics simply didn't understand "general equilibrium" and "Darwinian economics," while making a series of egregious scientific misstatements. Reading the interview offers good proof that one doesn't need to actually know very much, or make any sense, to become a respected legal scholar. It culminates with Epstein fiercely denouncing Chotiner for daring to question his expertise:

EPSTEIN:

You know nothing about the subject but are so confident that you're going to say that I'm a crackpot.

CHOTINER:

No. Richard—

EPSTEIN:

That's what you're saying, isn't it? That's what you're saying?

CHOTINER:

I'm not saying anything of the sort.

EPSTEIN:

Admit to it. You're saying I'm a crackpot.

CHOTINER:

I'm not saying anything of the—

EPSTEIN:

Well, what am I then? I'm an amateur? You're the great scholar on this?

CHOTINER:

No, no. I'm not a great scholar on this.

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<sup>30</sup> <https://www.newyorker.com/news/q-and-a/the-contrarian-coronavirus-theory-that-informed-the-trump-administration>

<sup>31</sup> <https://www.currentaffairs.org/2019/11/isaac-chotiner-interviews-historical-figures>

EPSTEIN:

Tell me what you think about the quality of the work!

CHOTINER:

O.K. *I'm going to tell you. I think the fact that I am not a great scholar on this and I'm able to find these flaws or these holes in what you wrote is a sign that maybe you should've thought harder before writing it.*

EPSTEIN:

What it shows is that you are a complete intellectual amateur. Period.

CHOTINER:

O.K. *Can I ask you one more question?*

EPSTEIN:

You just don't know anything about anything. You're a *journalist*. Would you like to compare your résumé to mine?