President Ozymandias

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For the past two to three years, the headlines have been dominated by the words and actions of Donald Trump. The news media has given him a significant amount of free coverage by analyzing his statements and reporting on his every move, turning what was originally an outlandish sideshow attraction of a presidential bid into a media powerhouse that has lined the pockets of the wealthy through ad revenue. Now, this person is the president.

In 2015 during a campaign rally in South Carolina, he promised his xenophobic, racist voter base that he would ban Muslims from entering the country (Taylor, 2015). Upon taking office he attempted to fulfill that promise. Since then, several iterations of the ban have been put in place and quickly declared unconstitutional.

The most important recent ruling came from the US Supreme Court. In a 5–4 vote along party lines, they ruled that it is constitutional for the president to control who enters the country (Higgins, 2018). In the majority opinion, Justice Kennedy explained that the court does not condone the president's language or temperament, but affirms that the president has the power to control immigration (Higgins, 2018).

This decision has been met with a lot of resistance and outrage by many in America and across the world. However, hate groups feel more empowered than ever, and hate crime is on the rise; in Chicago, the number of hate crimes rose 20% in 2016 (Koeske, 2018). It is not a coincidence that after Trump took office, hate groups were suddenly more active and visible than before. In fact, Scientific American studied the demographics of the targeted victims of hate crimes and found a correlation between the president’s tweets and the groups that were being attacked most frequently (Grewal, 2018). The president is not only raising the number of hate crimes, but also inciting violence against more groups of people.

It is not possible to discuss this topic using pure reason and rationality. The basis for the ban is fundamentally illogical, and it is nearly impossible to argue against such emotion-based decision-making. The chilling reality is that due to political maneuvering, economic incentives, and rampant corruption, all three branches of the government do not accurately represent the beliefs of the American people.

The argument being made right now to defend the US Supreme Court's decision is that the court may not necessarily agree with banning Muslims, but merely ruled that the president has the power to do so. While that may be factually true, the message that would send is that the President now has the power to ban entire populations at will, simply because the court has said he can if he gives even a vague, cursory reason to do so. Moreover, it is saying that the court does not uphold the concept of checks and balances.

At its worst, the US Supreme Court's recent decision may give the public the impression that it truly believes the president when he says that the ban is about national security and not about the president’s hatred of Islam. In the dissenting opinion, Justice Sotomayor argues, “Based on the evidence in the record, a reasonable observer would conclude that the Proclamation was motivated by anti-Muslim animus” (Sotomayor, 2018). Justice Sotomayor argues that the ban was most likely motivated by anti-Muslim bias, and the Supreme Court has chosen to uphold the ban. How could this look like anything but the Supreme Court upholding a bias against Muslims?

Losing confidence in the Supreme Court of the United States may seem like an extremely
emotional overreaction. However, in the last several weeks, multiple rulings have been issued by the Supreme Court that do nothing to indicate the court has an interest in protecting civil rights or enhancing our international image. While the court may have legitimate legal reasons for issuing its rulings, the eventual effects do not change; whether or not the court writes in the majority opinion that they disagree with Trump’s rhetoric and fearmongering, the fact remains that they upheld a policy based purely on those traits. If the court writes that they do not agree with homophobia and discrimination in the majority opinion, that does not change the fact that LGBT people can now be legally denied service simply because of their sexual orientation.

In the case of the Colorado baker, Justice Ginsburg wrote it best in her dissenting opinion when she stated, “Phillips declined to make a cake he found offensive where the offensiveness of the product was determined solely by the identity of the customer requesting it” (Kinard, 2018). Now, any homophobic business owner can feel justified in turning away LGBT customers without even having to pretend that it is not because of their sexual orientation. Likewise, the president can now feel empowered in turning away Muslim immigrants with only a vague, factually inaccurate explanation about keeping the borders “safe.”

The role of ethics is unclear in the current administration. The Supreme Court’s decision to uphold the president’s travel ban was based on affirmation of the president’s power to control certain aspects of immigration. Is it more ethical to make decisions based on previous interpretations of the US Constitution, or is it more ethical to vote based on a realistic assessment the immediate consequences of the court’s decisions? Did ethics play any part in this, or did the five conservative justices vote purely based on party loyalty? Do they mean it at all when they say that they disagree with Trump’s rhetoric?

There is an age-old question that gets thrown around a lot in discussion of ethics: would you steal food to feed your starving family? The question, although simple, delves into the inherent beliefs people have of right and wrong. Refusing to steal the food means your family starves but your police record remains pristine, and stealing the food means you have become a criminal but your family lives.

Another interpretation of the question could be read as asking if the letter of the law or the spirit of the law is more important. In a just society, nobody would have to resort to theft to prevent their family from starving to death. One could answer, "I would steal to feed my starving family, because the writers of the law did not expressly intend that people should die rather than eat stolen food." As it stands, the Supreme Court of the United States may be adhering closely to the letters of laws, and thus choosing not to feed the starving family.

**BIBLIOGRAPHY**


