

Lame Duck

Roman Mars [00:00:00] So where do you want to start today?

Elizabeth Joh [00:00:02] All right, well, why don't we kind of check in? It's been a little bit, right? So where are we? Election Day happened.

Roman Mars [00:00:10] It did.

Elizabeth Joh [00:00:12] And it was remarkably free of all of the major problems that people worried about--the practical things.

Newscaster #1 [00:00:18] The banner headline at the top of today's print edition of The New York Times--'Election Officials Nationwide: No Evidence of Voter Fraud.' Rather, quote, "Top election officials across the country said in interviews and statements that the process had been remarkably successful..."

Elizabeth Joh [00:00:33] Even though we're in the middle of a pandemic and millions of American voters cast their ballots by mail or early, for the very first time, we didn't have any of the stuff people worried about. No major violence, no huge numbers of ballot errors, no hanging chad kind of problems--remember from the election of 2000? Nothing like that. So, you know, a big sigh of relief for lots of reasons. As predicted, the definitive results for the presidency were not known on November 3rd--as everybody said that would be the case. And that's because many mail-in votes didn't even begin to be counted in some of the crucial states until Election Day.

Roman Mars [00:01:17] Which was due to lawsuits.

Elizabeth Joh [00:01:18] Exactly. Lawsuits and just Republican-held legislatures and states that said, "Nope, you're not going to start until the very end," and things like that.

Roman Mars [00:01:28] And so we had to wait.

Elizabeth Joh [00:01:29] We had to wait. But things began to look bad for Trump when Fox News called the state of Arizona for Biden late on election night.

Newscaster #2 [00:01:39] Arizona, are you 100% sure of that call? And when you made it and why did you make it?

Arnon Mishkin [00:01:45] Absolutely. We made it after basically a half hour of debating "Is it time yet?"

Elizabeth Joh [00:01:49] And that news started to trickle in that more and more mail in ballots appeared to come not completely in favor of Biden--but certainly there were big numbers of votes coming in for Biden. And by November 7th, the major networks and the Associated Press called the race for Biden. And that's traditionally the signal for all of us to recognize who the president elect will be. They projected that Biden had won Pennsylvania's 20 electoral votes. That put him over the required 270. And the electoral map now looks like a pretty clear, decisive win for Joe Biden. But for Trump, it wasn't over. And the president's lawyers filed dozens of lawsuits all over the country. And since then, Trump has only made a few public appearances since Election Day. But he's been tweeting a lot, mostly claims about supposed voter fraud, cheating, unfairness. All of these

are reasons not to believe the Biden victory, and none of it's supported by any real evidence. All of it questions the legitimacy of the election results. And in fact, when the Cybersecurity and Infrastructure Security Agency issued a statement that the November 3rd election was the most secure in American history, Trump fired its head, Christopher Krebs, by tweet on November 17th.

Roman Mars [00:03:14] Yeah.

Elizabeth Joh [00:03:14] And he even tweeted out, "I won the election." He didn't.

Roman Mars [00:03:20] You know, we've been talking about this for four years. It is not unbelievable, but that is still amazing to me. Like, it still amazes me--in a bad way--even though it is completely believable and comports with everything that has preceded that tweet.

Elizabeth Joh [00:03:37] Yeah, it's a kind of shocking but familiar tweet, right? Now, the presidential electors won't meet until December 14th to cast their official ballots, and Congress isn't going to meet for their joint session to count those votes until January 6th, 2021. Meanwhile, Trump is still the president of the United States, and President-elect Joe Biden won't assume office until January. Why is there such a long transition? And what does it mean that Trump refuses to participate? The answer turns out to depend on the Constitution, federal law, and a whole bunch of norms.

Roman Mars [00:04:18] Always with the norms.

Elizabeth Joh [00:04:21] Exactly.

Roman Mars [00:04:41] This is What Trump Can Teach Us About Con Law--an ongoing series of, I don't know, somewhat unknown length, where we take the tweets and speculative accusations of the 45th president of the United States and use them to examine our Constitution like we never have before. Our music is from Doomtree Records. Our professor and neighbor is Elizabeth Joh. And I'm your fellow remote learning student and host, Roman Mars.

Elizabeth Joh [00:05:12] Now, remember the first thing that happens when the major networks and election watchers call the winner for the presidential election--the loser usually concedes, right? Usually, the loser congratulates the winner and accepts the loss. That's a taken for granted part of what an election means in a democracy. The loser accepts the results. At this time, Trump has not conceded. Maybe he will never concede. And it also means that with just a handful of exceptions, most Republican elected officials in Washington have so far followed Trump in refusing to officially acknowledge that Joe Biden and Kamala Harris have won the election.

Roman Mars [00:05:54] Yeah.

Elizabeth Joh [00:05:54] So I want to be perfectly clear, the Constitution absolutely does not require the loser of a presidential election to concede.

Roman Mars [00:06:03] Nope. Doesn't matter. It doesn't matter what they think. It doesn't matter what they say.

Elizabeth Joh [00:06:07] It's totally symbolic. It's traditional, but it's not legally required.

Roman Mars [00:06:13] It's decent. It's what an adult would do. It's all these things. But it is not required of Trump, nor does the Constitution require him to do it.

Elizabeth Joh [00:06:22] Exactly. But a refusal does have consequences. The handover of power from a losing incumbent head of state to the winner can take all kinds of forms all around the world. In a lot of countries, a new leader takes office in a couple of weeks. Roman, do you know how fast the transition is in the UK?

Roman Mars [00:06:40] I have no idea. No, I don't know.

Elizabeth Joh [00:06:42] It's notoriously quick. When there's a new prime minister, the handover is immediate. Within 24 hours of election, there's a new person. Yeah, there's a new person at 10 Downing Street. Maybe that's too fast, but...

Roman Mars [00:06:54] Well, but maybe the structure of the parliament kind of allows it to be because there's always, like, a shadow cabinet. They have all these equivalencies that can sort of slot in if they need to, whereas I can understand why it takes some time here. So why is it written into the Constitution that there should be 11 weeks between the election and inauguration? That seems like an awful lot of time.

Elizabeth Joh [00:07:16] Well, historically, maybe that's not the right way to look at it. We actually have a shorter period of transition than we used to. And it's actually more formal than it once was. If you think about the original world of the Constitution, having a really long period of governmental transition makes sense because it takes a long time to travel to the nation's capital. And learning about the actual election results takes a long time.

Roman Mars [00:07:40] It takes time.

Elizabeth Joh [00:07:40] Right. So, here's how the old system worked. Members of Congress would be elected in an even numbered year in November, but the term for a new Congress didn't start until the following March. And because new sessions of Congress as a body used to begin on the first Monday in December, you had a new Congress that sometimes wouldn't meet for more than a year and a current Congress that would continue to meet for months.

Roman Mars [00:08:08] Wow.

Elizabeth Joh [00:08:09] Now, for the president, who is newly elected in November, the time was shorter, but they would still not be inaugurated until the following March either. So, we call them--members of that existing Congress, which continues to hold office after we've had an election for the next Congress but before the current Congress has reached the end of its term--a "lame duck Congress." When they meet, they're sitting members of the current Congress, but they're not yet the newly constituted Congress. Now, we also call a president who's been defeated but continues to hold office until the inauguration of his or her successor, a "lame duck president." Do you know where the expression comes from?

Roman Mars [00:08:54] I do not know. I mean, it sounds like it comes from hunting or something like that, but I don't know exactly, no.

Elizabeth Joh [00:08:58] Yeah, that's right. It comes from the 18th century where lame ducks were investors actually who had defaulted on their loans--kind of like a bird that had been struck by shot. It's lost that stock exchange, financial significance for us, and it's gained this political meaning in American life.

Roman Mars [00:09:15] So what are some of the unintended consequences of having such a long lame duck session for a president or a Congress?

Elizabeth Joh [00:09:22] Well, for Congress, it was a really big deal. In the old system, a post-election lame duck Congress could continue to meet and pass legislation for months. And the White House--the newly elected president had to wait for months to begin a new agenda and to lead the country. So, for example, think about the 1860 election. Lincoln's elected, he can't do anything as he watches several states leave the union while Buchanan is president. And during FDR's first term, FDR can do nothing but wait until March of 1933 to save the economy during the Great Depression. So, it has some very practical problems built in. So, to fix this, we ended up with the 20th Amendment to the Constitution, ratified in 1933. And at the time it's debated, the 20th Amendment was called the Lame Duck Amendment because it tried to address these problems. And unlike a lot of other amendments to the Constitution that you and I have talked about, this one is refreshingly mechanical. It's straightforward. There's no justice or reasonableness or due process. Let's talk about the lame duck parts. So first, the amendment tackles the congressional lame duck problem. Since 1935, the term of a Congress begins on January 3rd of each odd numbered year and ends on January 3rd of the next odd numbered year. Now, a lame duck Congress is any meeting of Congress between the Election Day in an even year and the following January 3rd, which for us is the period we're living in right now. The 20th Amendment doesn't actually eliminate lame duck Congresses or lame duck presidents. A sitting president can still be a lame duck, but for a shorter period. And today, if Congress decides to have a lame duck session, they're shorter than they used to be, but they can still exist.

Roman Mars [00:11:16] Right. Right. Was the ratification in 1933 a response to the fact that FDR couldn't take over for Hoover because it was right around the same period of time; while Hoover was a lame duck, it was ratified, you know, like, in January of '33. Was that just, like, a reaction to that moment?

Elizabeth Joh [00:11:35] Well, it might have been, but that also was a long-standing criticism of Congress. So, if you look at old newspapers, you know, long before then, there are many, many criticisms of Congress just sitting around--and essentially, they're the old Congress, but they're continuing to behave like they're going to continue going into the future. You know, again, it makes sense in the original constitutional design. It makes less and less sense as transportation and communication become...

Roman Mars [00:12:03] Modernity.

Elizabeth Joh [00:12:03] Yeah, modernity happens. Exactly.

Roman Mars [00:12:06] Okay. So, we're here now in 2020, and we're in our lame duck session. What does this mean for Biden and Harris when they're transitioning?

Elizabeth Joh [00:12:13] When you have a new administration, transition is a huge process. In normal times, you have just 11 weeks to get started. There's a lot to do in the modern state. The incoming president has to figure out what's going on in the current

government. The new administration has to fill more than a thousand jobs that require constitutional confirmation by the Senate, and that includes the members of the president's cabinet. That all has to get going. But because the president-elect is not yet president because we only have one president at a time, he doesn't have much leverage to convince the current lame duck Congress to help or to pass legislation that might help the country--for example, right now, another stimulus bill or something to help with vaccine distribution, things like that. So, the 46th president and the 117th Congress just don't have formal power right now. And the transition--any transition--can be a potentially really vulnerable time for the country, especially if there are delays or problems. Shortly after Bush took office, the events of 9/11 took place. And the 9/11 Commission later concluded that it was delays during Bush's transition that contributed to our lack of preparedness.

Roman Mars [00:13:36] Right. Okay.

Elizabeth Joh [00:13:37] And it's not just the Constitution. There are also federal laws today that tell us what's supposed to happen in a normal transition. The federal Presidential Transition Act of 1963 is supposed to make this whole process smoother. This federal law authorizes funds--millions of dollars, office space, resources, and access to the federal agencies--to help a new president elect get started. This funding is supposed to go through an obscure federal agency called the General Services Administration. Before November, I'm sure no one has ever heard of this.

Roman Mars [00:14:13] No, it's not as obscure anymore.

Elizabeth Joh [00:14:17] That's right. So, the GSA--you can think of it as sort of the supply chain and property management arm of the federal government. That's why you've never noticed it. According to federal law, the process of helping the new administration begins with something called "ascertainment"--figuring out who is the next president of the United States. And that happens with the head of the GSA, the so-called administrator of the GSA. While ascertainment is not supposed to be a political decision, the person making that decision is a political appointee. The current head of the GSA is a Trump appointee named Emily Murphy. She's the administrator for the GSA who's supposed to make this ascertainment decision. For almost three weeks, she didn't issue a letter of ascertainment that declares that Biden is the winner and launches the formal transition process. There was no official explanation why not.

Newscaster #3 [00:15:11] All right. On Friday, top Democrats sent Emily Murphy--the head of the General Services Administration, the woman whose job it is to begin the process of getting Biden's team briefed--a letter asking for a private briefing today, writing, in part, "We've been extremely patient, but we can wait no longer."

Elizabeth Joh [00:15:32] And the concern here is that the lack of access was not just about money, but the Biden team literally didn't have access to really important national security information and COVID data--things that, if they're delayed, really cause problems for the country not just for their team. But on November 23rd, Emily Murphy finally issues a letter that allows the transition team to go ahead and the Biden transition to finally formally begin. It's an interesting letter. If you take the 2008 letter from the GSA to Obama, it says, "Dear President-elect Obama. I am very pleased to inform you that pursuant to the Presidential Transition Act of 1963, I have ascertained that you and Senator Joseph R. Biden Jr. are the apparent successful candidates for the offices of president and vice president." The 2020 letter? Murphy begins by saying, "Dear Mr. Biden." Then she

complains that she's being harassed a lot for delaying her decision. Then she says she will authorize the release of funds and resources. She doesn't call Biden the "president-elect."

Roman Mars [00:16:43] I mean, it's the party of grievance. That's the party of self-pity and grievance. Like, it's in keeping with the same sort of tone that Trump sets.

Elizabeth Joh [00:16:53] Yeah, it's a remarkable change from that previous example. Now, right after the letter becomes public, Trump tweets, "In the best interest of our country, I am recommending that Emily and her team do what needs to be done with regard to initial protocols and have told my team to do the same." So, Roman, what do you think? What does that sound like?

Roman Mars [00:17:18] I mean, it has the basic shape and form of a concession, but it doesn't actually say anything to that effect directly.

Elizabeth Joh [00:17:26] It does sound like a concession, right? But Trump, being Trump, tweeted later that day, "What does GSA being allowed to preliminarily work with the Dems have to do with continuing to pursue our various cases? We'll never concede." One thing is certain--Trump is a lame duck.

Roman Mars [00:17:53] Pursuant of fighting all the avenues that he possibly can, the Trump team has filed a bunch of lawsuits. And so, is there anything sort of notable in any of those that you'd like to talk about?

Elizabeth Joh [00:18:05] Well, we know thus far that they've been largely unsuccessful. The suits have been dismissed or withdrawn in all places, all over the country.

Newscaster #4 [00:18:14] There have now been 34 court cases the president has lost. We saw Pennsylvania last night. We saw Pat Toomey, the senator from Pennsylvania, say, "It's time for the president to enable this transition. It's time for the president to concede." The president's response was to attack Pat Toomey on Twitter. Is it finally time for this to end?

Elizabeth Joh [00:18:35] Now, you and I have talked a lot about the Supreme Court decision in Bush versus Gore. Well, one thing to note there is that both sides assembled the nation's top attorneys--the very, very best--the highest priced lawyers you could get. So, I want to talk for a minute about Trump's lawyers, and we'll use the example of Pennsylvania. In Pennsylvania, the president filed a lawsuit to stop the state's certification of its ballot count, where Biden won with more than something like 80,000 votes over Trump. Now, remember the circumstances of the election. COVID means that many voters all around the country, and including in Pennsylvania, had to vote by mail for the first time. Now, in Pennsylvania, that process could be confusing because you had to stuff your ballot in an envelope called the "secrecy ballot" and then in a regular envelope. Now, of course, naturally, a lot of people probably forgot that they had to do that two times.

Roman Mars [00:19:32] Sure. Because usually one envelope does the job.

Elizabeth Joh [00:19:34] Exactly. And, of course, many of these were first time mail in voters, too.

Roman Mars [00:19:38] Sure. Yeah.

Elizabeth Joh [00:19:40] So the secretary of state in Pennsylvania encourages the state's counties to give voters a chance to correct their ballots if they get rejected--like you don't have the envelope right, or something like that. So, President Trump sues along with two plaintiff voters. And the gist of the lawsuit--that this is voter fraud because some counties took this optional advice from the secretary of state to help voters correct errors and others didn't. That's the fraud. And the kicker? The solution the lawsuit proposed, which is what we call the "legal remedy," was to stop the state's entire certification process and throw out almost 7 million properly cast votes. Does that sound crazy?

Roman Mars [00:20:26] Yeah.

Elizabeth Joh [00:20:26] Yeah, it was. It was kind of crazy. And on the night of November 21st, which is a Saturday night, a federal judge essentially agrees. And the judge here says, "You lose for just so many reasons." So, number one, there's no "there, there." The judge says, "One might expect that when seeking such a startling outcome, a plaintiff would come formidably armed with compelling legal arguments and factual proof of rampant corruption. That has not happened. And the judge says, "Well, basically, what kind of proposed solution is this?" The court says, "Fine, let's say that, you know, two of the plaintiffs here--besides the Trump campaign--they said they had their ballots rejected. That's a harm." But he says, "How would throwing out the votes of almost 7 million Pennsylvania voters solve your problem? What does it have to do with your problem? And the people they sued or the entities they sued--counties in which those two voters didn't live in--how did they cause your problem?" If it sounds weird, it is weird. The judge just wasn't having it. Now, you might ask, "Is there a constitutional claim here? What's the core of the lawsuit?" By the time it gets to the stage of the case, there was just one. It was an equal protection argument. And that's the same constitutional provision that was litigated in Bush versus Gore. So, it sounds like, well, maybe there's something there. But the gist here, too, is very strange. It says, "Well, look, some counties decided to allow this nice opportunity to correct your ballots, just as the secretary of state said, 'You should if you want to.' And some didn't. And that's a constitutional violation." Now, the judge says, "No, it's not. I mean, states can make all kinds of decisions about how to run their elections." And then the judge says in his decision, "You guys really don't understand Bush versus Gore, do you?" Oof. Maybe one of my favorite parts of the opinion here is something that maybe Roman you could read for us.

Roman Mars [00:22:31] Okay. It says, "This claim, like Frankenstein's monster, has been haphazardly stitched together from two distinct theories in an attempt to avoid controlling precedent."

Elizabeth Joh [00:22:43] Exactly. Well, when you hear that, you're not in a very good position. And the basic theory of the case, if you're trying to figure out what's going on, is really strange. You know, if Trump's campaign was right, the lawsuit would mean if I'm a voter and I see some other county that had a voting process that was maybe a little bit easier or they gave people a little bit more help, that means I can sue. It's hard to see why courts would basically allow anyone and everyone to sue on such an expansive view of what a voting rights case would be like. And basically, the judge ends his opinion by saying, "Plaintiffs seek to remedy the denial of their votes by invalidating the votes of millions of others. This is simply not how the Constitution works." So, the judge's message? "Done. Get out. Don't come back."

Roman Mars [00:23:38] I mean, so really the problem is the remedy. I mean, if they were to argue, "Okay, so some counties got this right, and some counties--you know, the local

officials--decided not to offer this sort of grace period and way to correct your ballot if there was an error." If the remedy was "Give them all that ability," is that possible? Would that possibly work if you were suing the state to say, like, "Well, all the counties that didn't allow that should allow that"?

Elizabeth Joh [00:24:06] You know, that might have been one sort of issue, so that gets to the part that you just mentioned; it has something to do with what's called "standing," right? And the idea of standing is, you know, when you sue somebody, you're saying that "I'm harmed in some way. And the person I'm suing is the cause of the harm, and you're going to make me whole or help me out--compensate me in some way--because of the harm." "And here the harm and the cause is so mismatched," says the judge. He says, "This doesn't even make any sense." And as far as the massive amount of evidence, notice that--as I said before--the judge says, "What kind of proof do you have? You don't have any proof at all." So that was a pretty eviscerating opinion. The Trump campaign said that they would appeal, and it's unlikely anything is going to happen because on November 24th, Pennsylvania certified its slate of electors for Biden and Harris.

Roman Mars [00:25:04] Well, here we are. Democracy kind of survived.

Elizabeth Joh [00:25:10] Well, I think that's an important note to make here in all of the analyses of what happened in Election Day. There is a kind of sunny story about how there weren't massive numbers of ballots that were rejected, there wasn't violence in the streets, people did get their votes in for the most part, and those votes were counted. And in fact, we had historically high numbers of people voting in the United States. But that doesn't mean that this was a problem-free election because, again, despite the facts of everything that happened with the election results, we had a sitting president who continued and continues to allege that there's something wrong with the results and a party that more or less has backed this view--even if just through silence--for the entirety of the month of November since Election Day. And that is a harm above and beyond just people being able to cast their mail in ballots or stand in person and cast a vote.

Roman Mars [00:26:13] Yeah. It's really destabilizing to have that many people led by people who have called into question the democratic process. It's just really upsetting. You know, does it mean that now every election is going to be called unfair rather than just be about who won, who lost?

Elizabeth Joh [00:26:35] I think that's right. I mean, it does kind of question, you know, it's not just about the mechanics and the logistics of an election. It's about the acceptability of the results by the loser. And that's the biggest damage that's been done in 2020.

Roman Mars [00:26:47] Yeah.

Elizabeth Joh [00:26:48] And of course, with a lame duck president, we have someone who doesn't seem so far to be particularly interested in moving forward on COVID, even as the case numbers and deaths in the country continue to rise. And the very fact of what we're living through right now shows us kind of the problems when we have this awkward transition time, particularly with a sitting president who doesn't want to urge legislation or engage in executive action that's going to directly have some effect on the lives of people who are suffering right now.

Roman Mars [00:27:23] Right. I mean, it's particularly notable that the governing party kind of doesn't believe in government in a lot of ways, like they don't believe in government

intervention when it comes to things like COVID or stimulus relief. It seems the under-riding principle was to undermine a lot of these institutions. It seems particularly problematic right now when there are things happening that are bad that need to be acted on. You know, like, if it wasn't so dire, you know, their version of coasting might not hurt so bad. But it really does hurt right now as people suffer. You know, this has been a strange month for me as well because in the period of time since we've recorded, my father contracted and died of COVID in the hospital. He was going in for a procedure. As he was recovering and going to be transferred, they tested him for COVID. He tested positive, and then he died less than two weeks later. And, you know, as we've been talking about this sort of, like, norm breaking and sort of general negligence of Trump for all this time, I don't know if it really hit home that he would murder my father, you know, through his negligence. I know you teach criminal procedure, so I can't say the word "murder" in front of you. But I think you know the metaphor in which I'm speaking, even though you might not condone it. But the cost of this man is so tremendous. You know, the cost of Trump is just mind blowing. I don't know what to think of it.

Elizabeth Joh [00:29:08] I'm so sorry. I mean, if anything, these are, you know, real lives. And I'm so sorry for your father's totally unnecessary passing.

Roman Mars [00:29:18] Preventable.

Elizabeth Joh [00:29:18] Preventable passing.

Roman Mars [00:29:20] I mean, you know, I mentioned it on Twitter, a lot of people reached out, it was pretty overwhelming, and it was heartening. And I have a hard time becoming the center of things, I guess, even as a reporter or someone who has a show. My personal life and things that go on with me are not usually front and center. But I FaceTimed with my father--he was unconscious--the day before he died or maybe about 16 hours before he died and wrote about it on Twitter. And mostly the response was all fine and just heartwarming. And it was a little intense. Even a good response can be intense, like, kind of smothering, you know, like, from strangers--but all very warm except for the occasional one, who would say something like, "How dare you politicize your father's death?" And I was like, "Well, he died because of politics. And so, I don't think his death is out of bounds when it comes to talking about politics because there was no medical, scientific, or rational reason why you wouldn't take COVID on except for political reasons. And therefore, the politics of Trump, I think, were a direct contributor to my father's death." And everyone should speak about it in this way, in my opinion. Like, I think that this is very clear--that there's a cause and effect here. And we have a nation that represents, you know, 5% of the global population and around 25% of the COVID cases. I mean, that is not something that just happens. That happens because of neglect and in a lack of what government should do. And if there's one thing the government should do, it should do the types of things that we can't do individually. It should organize logistics and planning around things like pandemics and, you know, building roads and bridges and stuff that no company or person can do. And they failed so dramatically in the past four years. And the result has been a quarter of a million deaths, including, you know, someone close to me. It's kind of amazing to be chronicling this with you for this long and have the result finally be, you know, Trump isn't going to be no longer president, thank goodness. And that my father died in the process is kind of an amazing thing to have happened. It's unreal to have a small personal tragedy in the midst of a large national tragedy--figure out where to contextualize it. It's been hard for my brain for the past week or so, but it's something I've been contending with for a bit.

Elizabeth Joh [00:31:56] Oh, it's just awful. And I'm so, so, so sorry. Thank you for sharing the story. I think, if anything, we've spent our conversations trying to convince people that, you know, it sounds like constitutional law and law in general insofar as how they define what not just the federal government does, but the president in particular does and can do. It sounds so abstract, right? So, what does that have to do with me? But I think in so many ways, the pandemic has shown us that constitutional law has a line through the president, through the government, through the policies, to directly affecting everyday Americans. My hope is that that's the message that will endure.

Roman Mars [00:32:44] Me, too. It has to. This whole enterprise with you and I--of me reaching out to you because I felt like things were wrong and I needed someone to tell me why and how they were wrong. You know, like, what does the Constitution actually say? Because I had this gut feeling that something was wrong, and I needed you to explain it to me every couple weeks or every month. And I hope that what we take at the end of this is that knowing that stuff and knowing that it has consequences is the ultimate lesson of this show. And the end of the Trump presidency--if you can take one thing out of it, it's that, you know, I learned a lot of constitutional law, and I hope people listening to this learned a lot of constitutional law. And I hope people who never heard of the show or know anything about it actually learned a lot about what government means and why it matters because I think government does matter and I think Constitution matters. And it's important to remember that. And that's what I take as the only good thing to come out of the Trump presidency.

Elizabeth Joh [00:33:45] Well, thank you for doing that, Roman, because all these years later, we've kind of taken a journey, haven't we?

Roman Mars [00:33:55] We certainly have. All right. Thanks.

Elizabeth Joh [00:33:58] Thanks.

Roman Mars [00:34:19] This show is produced by Elizabeth Joh, Chris Berube, and me, Roman Mars. You can find us online at trumpconlaw.com. All the music in Trump Con Law is provided by Doomtree Records, the Midwest Hip Hop Collective. You can find out more about Doomtree Records, get merch, and learn about their monthly membership exclusives at doomtree.net. We are a proud member of Radiotopia from PRX, supported by listeners just like you.