

DEBARRING DONALD: ON THE TRUMP RULING BY THE SUPREME COURT OF THE U.S. STATE OF COLORADO

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The Supreme Court of the U.S. State of Colorado has [barred former President Donald Trump from running for office again](#) in the 2024 presidential election, on the grounds that he violated a constitutional clause relating to engaging in an “insurrection or rebellion”. The court found, in a 4-3 split decision, that Mr. Trump was not eligible to be on the election ballot next year in Colorado for the role that he played in egging on protesters on January 6, 2021, a section of whom then went on to [attack the buildings of the U.S. Capitol](#) in Washington. The ruling sets a historical precedent for the use of Section 3 of [the country's 14th Amendment](#) to strike a presidential candidate off the ballot — in this case the most popular Republican candidate by a significant margin and seen as highly likely to win the election. Under the Section (the “insurrection clause”), any person engaging in insurrection or rebellion against the U.S. Constitution shall not be permitted to run for public office including Congress, the military, and federal and state offices. The 14th Amendment, which was ratified in 1868, was established in part to disallow former Confederates from entering Congress and grabbing power from a government that they had previously fought. It is ironic that a similar post-Civil War logic might apply to Mr. Trump now, for his role in seeking to block the peaceful transfer of power to presidential incumbent, Joe Biden, on unproven allegations of election fraud linked to ballot voting. The Colorado ruling overturned an earlier district court verdict that declined to block Mr. Trump from contesting on the grounds that it was unclear whether the 14th Amendment covered the presidency.

Regardless of whether the inevitable appeal that his legal team will launch will succeed, and regardless of whether his inability to compete in Colorado will impair his overall prospects next year, this ruling marks the bitter polarisation of the U.S. electorate around the controversial policy stances that Mr. Trump represents. On the one hand, it is his very rejection of political propriety that has led to the democracy-threatening situation of a President who came close to refusing to demit office after an election loss. When combined with the hateful, partisan demagoguery of previous Trump campaigns, this calculated stubbornness represents the political outlook of MAGA Republicans, a world view that has little in common with the values that mainstream conservatives and liberals hold dear. This bodes ill for the quality and tenor of democratic discourse ahead, raising the likelihood that leaders on both sides will be talking past each other, instead of reaching out to build bridges for bipartisan cooperation, in short supply at the current juncture.

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