

October 2020 Entry (on moral bankruptcy)

“[Sen. Mitch] McConnell later called the question of whether the [Biden] rule should become Senate policy ‘absurd,’ stating that ‘neither side, had the shoe been on the other foot, would have filled [the vacant seat]’” – from Wikipedia article, “[Merrick Garland Supreme Court nomination](#),” citing to Meet the Press, NBC, April 2, 2017.

The fight over whether or not to appoint a replacement for the deceased Supreme Court Justice Ruth Bader Ginsburg in September 2020 has brought into sharp focus true political *moral bankruptcy*. It is well documented that the Republican-controlled Senate refused to confirm a new Supreme Court Justice in 2016 citing the “[Biden Rule](#)” that a new Justice should not be confirmed in an election year once the primary season was underway (named for a 1992 speech by Sen. Joe Biden, now the Democratic Party candidate for President, arguing against Republican President Bush choosing a new Supreme Court justice in an election year). The Senate leadership is on tape saying this multiple times in multiple ways in 2016. Of course in 2020, the plan to ram through a Supreme Court Justice confirmation just before the election elicited loud cries of hypocrisy against Senate Republicans and of election manipulation by the Trump administration (I know there is a quibble argument point about 10 months vs. 46 days – set that aside for now).

Political Moral Bankruptcy has two parts:

1. *Both sides are hypocrites*. Notice that the Democrats wanted the Senate to confirm Obama’s Supreme Court Justice appointee in 2016. But now they are on the opposite side; the parties have switched sides out of political convenience. A CNN host inadvertently – perhaps – pointed out that the Democrats were all for confirming the new Justice chosen by Obama in 2016, despite the “Biden Rule” that the Republican Senators cited in refusing to take up the matter in 2016. This has been mostly lost in the cries of hypocrisy against Mitch and Lindsey and Ted ... Neither side has the [moral high ground](#) and that is Part 1 of Moral Bankruptcy.

2. The Democrat caucus has responded by threatening, in the words of Sen. Chuck Schumer, their leader, that if the Republicans do this and the Democrats control the Senate in 2021, “all options will be on the table.” This means that the Democrats are considering expanding the Supreme Court to recover the two appointments they feel they should have been allowed. This has been referred to as a ‘nuclear option’ for the Democrats, not in a parliamentary rules way, but in the sense of hyperbole or an extreme option. I am against expanding the Supreme Court not only for [judicial economy and efficiency purposes](#) (e.g., the multiplication of Justice opinions on each case), but because this game has the strong potential to get out of hand, leading to an ballooning and politicized court.

3. But, the Republicans have already used the parliamentary [nuclear option](#) in the Senate by changing rules so that only the majority vote is necessary for confirmation and other matters, rather than 60 votes, because they said [Democrats were](#)

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[obstructionist](#). Mitch McConnell has been accused of [breaking “the process for naming a new supreme court justice”](#); I cannot help but to think of Peter Suber’s game “[Nomic](#).” Depending on your leanings, the change from 60 votes to a simple majority can be described variously as either ‘necessary institutional reform’ of the Senate or a ‘decline of institution’ to one-party rule. The only way this can be undone is if Democrats, when they are in control, act against their own interest and change the rules back to 60 votes needed, undoing McConnell. Once power by simple majority is established, do you think any party in control of the Senate will act against their own short-term interests? Not likely.

So now we have a situation where both sides are hypocrites and both sides basically have only nuclear options available, nuclear options are the only viable threats, and one side has already pulled the trigger – this latter is Part 2 of Moral Bankruptcy. Institutional moral bankruptcy occurs when there are only mutual hypocrisy and nuclear options. And in this sense – long before anyone thought of nuclear anything – the controversial [Liberum veto](#) of the Polish-Lithuanian Commonwealth legislature (Sejm) can be taken as a pre-modern example of moral bankruptcy contributing to the demise of the Commonwealth.

(moral bankruptcy in GGDM)

“I read some of his [Attorney General William Barr’s] comments, and he spends a lot of time talking about the political basis of his authority, but he doesn’t spend time talking about the legitimacy of that power.” – [Peter Strzok](#), [Andrea Mitchell Show](#), MSNBC, September 17, 2020.

Now, while some may take the previous discussion as hypocrisy on my part because I stated in [2 Information](#), p. 1339 that GGDM tries to be as non-political as possible, is not about the now, but is about the future, I regard this discussion as a non-partisan observation of the ongoing ‘natural experiment’ that is called history (see [Jared Diamond](#) quote, [3 Constructural Elements](#), p. 210). I am certain that there is significant literature on the subject of national or civilizational moral and sociopolitical decay that mentions ‘moral bankruptcy’ as a signpost up ahead on the way to the Twilight Zone. Similarly, [moral authority](#) is considered in most cases to be necessary for [government legitimacy](#); it has been argued in GGDM section [2 Government Titles](#), p. 587 that legitimacy by force of arms alone is at best fragile and that true legitimacy is the authority to use force if needed, but that doing so should not be necessary.

([Philosopher's Sidebar](#): Can one be a hypocrite absent the external world's perception of possessing or attempting to project moral authority? Can one be a hypocrite to oneself? Is each of us the moral authority to ourselves? End Sidebar.)

Moral bankruptcy is certainly possible within the play of GGDM; it is possible for positions to become or be seen as hypocritical in [News Events](#), or private [grey](#)

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[diplomacy](#), or actions in the game, or by role-playing their position, or even by secret changes in Social and Estate Titles over the course of the game (see [Pool of the Abyss](#), [4 Government Titles](#), p. 630). And as the positions are completely free, sovereign actors vested with technological- and game-interpretation power (as [‘universal legislators’](#)), there are plenty of nuclear options in the game. It is the use of game-ruining U.S. Senate-like political nuclear options in official interpretations that is warned against in [Keep the Sand in the Sandbox](#), [2 Dreamtime](#), p. 147 for News Events and in [3 Patents](#), p. 749 regarding the physical laws of the game universe. And in the physical game universe, there is [Orbital Bombardment](#) instead of normal [Conversion](#) or [Pacification Combat](#). And so on.

Moral Bankruptcy is also something the Concierge – representing generally the [faceless sapient populations in the game as opposed to the players representing the central powers of interstellar civilizations](#) – may consider and use as a springboard for Concierge [Interventions](#), Collages resulting from [Reformations](#), and so forth. Notably, even Martin Luther came to be seen as a compromised hypocrite (due to the [German Peasant’s War](#) in which he supported the magnates against the peasants he had aroused and [Philip of Hesse’s bigamy](#) that implicated the Protestant leadership) and was later sidelined by younger, [radical Protestant leaders](#). The Concierge may also find moral bankruptcy (or at least, hypocrisy) in a position’s failure to follow its [Fundamental Realities](#), to whose restrictions the players agreed by choosing them during the game set-up (and by choosing to participate in the game).

The caveat however, is that the Concierge cannot be partisan about it, which is why the Concierge must act from the view of faceless subject populations (whom the participants should not assume are stupid or uninformed) and [Fundamental Reality violations](#) and the overall integrity and story arc of the game, leaving the hypocritical tit-for-tat of Regular Turn events to the player-positions in game. The Concierge must avoid if possible, being [hypocritical and having available or using only nuclear options](#) (i.e. taking an autocratic or sledgehammer approach) to guiding the game. That is, the Concierge must (like parents) avoid moral bankruptcy.

Epilogue:

“Legitimacy is not the result of how they feel about it. You know, you can’t win them all, and elections have consequences. And what this administration and this Republican Senate has done is exercise the power that was given to us by the American people in a manner that is entirely within the rules of the Senate and the Constitution of the United States.” – [Sen. Mitch McConnell](#), Senate Floor, October 26, 2020.

I disagree, as argued in [2](#) and [3 Government Titles](#), [legitimacy](#) is very much about feelings, interpretations of the populace toward the authorities, that is active acceptance, passive acceptance, or rejection of authority and how they act as a result (this is also consistent with the concept of [active and inactive Constructural Elements](#) in the game). McConnell is arguing a very [procedural](#), [legalistic](#) view of legitimacy: It was done by the rules therefore it is legitimate.

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“And if Democrats have half a brain, and if they are not whimps, they will actually lift that speech and use it word for word and use it when they expand the Court to eleven or twelve justices. Because what Mitch McConnell said, you know he’s right, they have a Constitutional right to do this. Democrats shouldn’t whine, they should have won the last election. ... What is true for Republicans is true for Democrats. Mitch McConnell said this doesn’t violate the rules of the Senate, because of course he makes the rules in the Senate, and it doesn’t violate the Constitution of the United States; neither does expanding the Supreme Court to eleven or twelve Justices, that doesn’t violate the Constitution, and again, everything Mitch said will apply to that next year in the Judiciary Reform Act of 2021.” – [Joe Scarborough](#), Morning Joe, MSNBC, October 27, 2020.

“That’s going to be the pressure and the divide, as much as it is between progressives and centrist Democrats, if they win, is going to be between people who want to play by the rules and the norms, and people who think that Republicans have thrown all of that out the window and that they need to basically use the same strategy that Republicans have been using as they have governed Washington over the last four years.” – [Kasie Hunt](#) on Morning Joe, MSNBC, October 27, 2020.

Aside from the real world consequences ... Within GGDM, this goes to the discussion of [universal legislators](#), in-game [stare decisis](#), and the “[Keep the Sand in the Sandbox](#)” arguments against using the nuclear option.

“[McConnell] proved that the only boundaries, the only guardrails are the Constitution of the United States, so why wouldn’t Democrats live by the McConnell Rule that we are only bound by the Constitution of the United States and can do whatever we want to do?” – Joe Scarborough, Morning Joe, MSNBC, October 27, 2020.

Nuclear options have consequences whether in a game of GGDM or in the real world, whether they are using literal nukes (we all grew up with the apocalyptic stories of [global thermonuclear war](#)) or of the political sort, or even in [breaching contracts](#) in business or crossing lines in a legal proceeding.

By Charles W. Phillips