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It's time to abandon the benefit of the doubt

I'm taking politicians by their actions, not by their words.



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Over the summer I've learned about a longstanding legal concept called the "[presumption of regularity](#)," which basically means that judges will take the government at its word and assume officials followed the rules.



It makes some sense; certainly one of free society's essential ideas is that the government obeys its own laws, and if the laws themselves are rotten, we change them. But as [hundreds of lawsuits](#) against Trump II have piled up throughout the U.S. — and as dozens of judges' resulting rulings have been [ignored](#) — the [presumption is cracking](#).

Take a case that came to light during Labor Day weekend. The administration was in the process of removing hundreds of immigrant children under [cover of darkness](#) when a federal judge stepped in [at 2 in the morning](#). Perhaps conscious of the government's past bullshit over [verbal versus written orders](#), Judge Sparkle Sooknanan was unequivocal in her ruling that [the children must stay](#). She also scheduled hearing after hearing over a [20-hour period](#) and demanded more and more proof from the feds that the children weren't going anywhere. (And guess what? The feds might be [trying again](#).)

“This is what happens when you obliterate the presumption of regularity,” [wrote Anna Bower](#), senior editor at Lawfare, a nonprofit covering legal and national security issues. “Endless homework assignments because the court can't trust the government to follow orders in good faith.”

I share this story because I think this approach is for the best. In fact, I think it's helpful — necessary, really — for us all to jettison our own presumptions of regularity about our government officials. No more taking honesty and good faith for granted. No more benefit of the doubt. Let's not believe what they say they're *trying* to do. Instead, let's believe what they *actually* do.

Let me illustrate how this works through some examples:

- The U.S. Supreme Court's majority has paved the way for a president who believes he has [unlimited power](#) and that our entire federal government — [the military](#), [the budget](#), [the Constitution](#), [the civil service](#), [the museums](#) — belongs to him instead of to all of us. Is it because of their commitment to certain legal principles? No, it's because they want these things.
- The administration is killing research that could help [cure cancer](#) and [prevent future pandemics](#), meaning literally millions of people could needlessly suffer and/or die in a eugenics-like purge of the most vulnerable. They [want those things, too](#).
- Trump and his henchmen make a show of [fighting antisemitism](#), yet from [its first days](#) this administration's staff has been a box of “[Oops! All Nazis](#),” [over](#) and [over](#) and [over](#) again. They like Nazis and want them in power.



- Trump's immigration dragnet is supposedly targeting terrible crime, but it's sweeping up [non-criminals](#), [citizens](#) and others who [are here legally](#), and people who simply [aren't white](#). Yeah, that's [what they want](#).
- The GOP's centerpiece legislation this year will cut health coverage and food budgets for millions of sick, poor or old people, including [tens of thousands of Arkansans](#). Yes. It's what they want.

The same principle applies in Arkansas:

- Our governor and Republican legislators' laws forcing local law enforcement to [cooperate with ICE](#) will [hurt trust](#) between immigrant communities and police, making immigrants and the rest of us [less safe](#). Because that's what our leaders want.
- Our [failed sex education](#) and our ban on all abortions unless the mother will die without one — [no other exceptions](#) — together mean teenage girls [get pregnant](#) and rapists get to select the mothers of their children. That must be what they want, too.
- Our ever-increasing red tape for ballot initiatives makes it harder and harder for us to use our democratic power to make this state better. Because [that's what state Republicans want](#).
- School vouchers are siphoning [hundreds of millions](#) of taxpayer dollars from public schools to [private schools](#) and [wealthier families](#). That's also what they want.

The applications are endless: [Epstein pals unpunished](#), [queer people isolated](#), a [resegregated government](#). It can work for other political affiliations, such as with repeated Democratic failures on [insider trading](#) and [the filibuster](#), and for other professions, such as when news outlets keep giving Trump [what he wants](#). Try it for yourself! If people in power create a problem and won't fix it: It's. What. They. Want.

For me, this perspective is a mental machete against the thicket of hypocrisy, distraction and doubt. We've all heard someone say things about Trump like, what is he thinking? That's not what he said he'd do. Surely he has a good reason for this, or surely he wouldn't/can't do that. Perhaps you've thought those things yourself. Some of Trump's [voters definitely have](#).

The benefit of the doubt is also baked into a lot of conventional journalism and political thinking. Reporters and commentators, even political opponents, routinely [accept](#) when a



politician [calls himself a fireman](#) and ignore that he keeps setting the fires [on purpose](#). [We can't read minds](#), after all.

This kind of thinking is only getting in our way. It's wasting time and energy that could go toward countering the problems being foisted onto us. We don't have to know a politician's inner mind. We just have to look at what he's done with clear eyes — and then speak out, organize and vote accordingly.

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