



thruMYeyes

with PROF. BOLAJI AKINYEMI

THE WEEKLY FOREIGN-POLICY BRIEFING

SESSION 25 · THURSDAY 19 NOVEMBER 2020 · FROM THE ARCHIVE · Syncterface Media

FROM THE ARCHIVE · SESSION 25

STOP MAKING THIS DRAMA

Which parts of an obstructed transition actually matter — and the one thing he says the incoming side could be doing and is not.

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Syncterface Media · tmeinsights.com

Session 25 — recorded on the day an American secretary of state first visited a West Bank settlement.

FROM THE ARCHIVE

Stop Making This Drama

He sorts an obstructed transition into the parts that are theatre and the parts that are damage — and then tells the winning side, twice, that it is complaining about what it cannot change and leaving undone the one thing it could.

A solo broadcast recorded on 19 November 2020: sixteen days after the American election with the transition still blocked, on the day the American secretary of state became the first to visit a West Bank settlement, and the day after CNN broadcast its investigation into the Lekki toll gate. **It is the most practical hour in the archive. Almost every answer is a version of the same instruction — work out what you can actually do, and do that instead.**

An archive edition, recorded 19 November 2020. Several constitutional details he repeats from the previous week are approximate and are corrected again here. One sweeping characterisation of a people is reported as his, attributed, rather than adopted.

01 · WHAT ACTUALLY ALARMS HIM

Asked whether he is surprised the refusal is still going on, he says yes — and then redirects the question away from the domestic theatre and towards foreign policy, where he thinks the real damage is being done.

First, a secretary of state touring the world at a moment when he should be at home winding down. It creates a problem for the countries receiving him, most of which have already congratulated the

president-elect: how are they supposed to deal with an outgoing officeholder? He is not sure it has happened before.

Second, and worse, the trip to Israel — a visit to settlements in occupied territory that international law regards as illegal, accompanied by an announcement that the department has changed its view of their legality. His question is the one that makes it a trap rather than a policy: whose view is being announced? His own, the president's, or the department's after the twentieth of January?

Third, the withdrawals from Afghanistan and Iraq. He concedes the promise was made four years earlier and that an agreement with the Taliban is being activated. What he objects to is the residue: a core contingent left in both places. If those troops are attacked after the twentieth of January, is the remaining force strong enough to hold — or does the incoming administration have to put troops back in? He calls that dangerous to American strategic interests.

In the middle of that he makes a sweeping and dismissive characterisation of Afghans as having behaved like spoiled brats under the canopy of American protection, and suggests the reduction may focus their minds. It is reported here as what he said. It is a generalisation about a whole people, and it does not sit well beside the care he takes elsewhere.

And fourth, the removal of department heads and their replacement by loyalists — alongside reports that lawyers have approached electoral officials asking them to join in throwing out votes, which he calls, without qualification, criminal.

“Is he talking about his own views, the president's views, or the department's views after the twentieth of January?”

— Prof. Bolaji Akinyemi

02 • WHAT STRONG INSTITUTIONS CANNOT DO

A viewer asks the old question: strong institutions or strong leaders? His answer refuses the binary and makes it developmental. Where a system has had two centuries to settle, institutions matter — and, he says, we are now seeing exactly why.

But the same weeks have exposed the limit, and this is the passage worth keeping. Until noon on the twentieth of January the man is still president and still commander-in-chief. He can order an institution to do what he wants. The head of that institution has exactly one option — resignation. He cannot disobey and remain, and if he tries, he is replaced by someone who will comply. That is what strong institutions look like under maximum strain: not immovable, but staffed by people whose only power is to leave.

The illustration he reaches for is the reporting that the president had asked advisers about striking Iran's nuclear sites. He asks his audience to think about what would be released into the atmosphere — and then states the constitutional position without softening it: if the order were given, the air force could not lawfully refuse it.

Which returns him to the provision he has attacked for three weeks: a defeated president holding the office for ten more weeks, written into a document at a time when electors travelled by horse. And he adds the new argument that the last fortnight has supplied: now they have seen the mischief such a man can cause.

The other half of the question he answers with last week's subject. Where a political system is fragile, you need strong personalities to build the institutions in the first place — which is what he credited Rawlings with. Which you need depends on where you are.

“All the head of an institution can do is resign. He cannot disobey and stay. That is the limit of strong institutions under strain.”

— Prof. Bolaji Akinyemi

03 • NOTHING NOW. EVERYTHING AT NOON.

Asked whether anything can be done about the firings, his answer is a flat no, for the reason just given. And then he turns it around, which is the useful half.

The constraint expires. A second past noon on the twentieth of January there is no such constraint on the incoming president at all.

The warning he attaches is the sharpest political advice he gives all year, and it is aimed at his own side. The outgoing camp is counting on a known tendency — that liberals do not wish to appear vindictive, and will therefore leave illegality and immorality in place rather than be seen to be settling scores.

He does not think that is available here. The incoming administration is contending with forces determined to derail it. There is no reason to appear soft about undoing what a departing administration did unlawfully.

“They are counting on the tendency of liberals not to appear vindictive — and therefore to let illegality stand. He has to be firm.”

— Prof. Bolaji Akinyemi

04 • DRAMA, AND DAMAGE

On the intelligence briefings withheld from the president-elect, he is dismissive in a way that only someone who has read such briefings can afford to be. They thrive on drama, he says, and this is a mountain made from a molehill.

His reasoning has two parts. The first is temporal: the man is not president, and could do nothing with the briefings before January anyway. The second is evidential, and comes from his own career. He has had access to intelligence briefings as a foreign minister, and has read the leaked American cables carefully. Diplomats like to make a song and dance about classification. In practice, ninety-five per cent of what is in those cables you would have found in the serious newspapers or online.

What is missing, he says, is the interpretation — and then defines interpretation in a way worth writing down: the application of common sense to the facts you are dealing with. A man who served eight years as vice-president and chaired the Senate foreign relations committee can supply that himself.

The pandemic briefings get the same treatment. He needs two things, and both are public: that a vaccine will exist, and that distribution will be his own problem to plan. He does not need insight into the current White House's thinking.

What does worry him is the category he has been building all evening — the commitments being made abroad in the last ten weeks. And even there he refuses the drama: nobody needs a departmental briefing to know what the secretary of state is doing. Everyone can see it. Some of those commitments will be reversible and some will not, and working out which is which does not require anybody's permission.

Which of these actually matters?

A former foreign minister sorts the obstruction into drama and damage

WHAT IS BEING WITHHELD	HIS REASONING	VERDICT
Intelligence briefings The presidential daily brief	Ninety-five per cent of it is already in the newspapers. What is missing is interpretation — and he can supply that.	DRAMA
Pandemic planning White House thinking	He needs two facts, both public: a vaccine is coming, and distribution is his own problem to plan.	DRAMA
Transition funds Withheld by the agency	The one place he says a court could be asked to rule — and nobody has asked.	ACT ON THIS
Foreign commitments Made in the last ten weeks <i>"They thrive on drama. Complain about what you cannot change, and leave undone the thing you could."</i>	Settlements, troop withdrawals, arms deals. Some reversible, some not. This is the real one.	THE DAMAGE

SESSION 25 · STOP MAKING THIS DRAMA

As assessed on this broadcast

How he sorts the obstruction — and the one line he says somebody should be acting on.

05 · THE CASE NOBODY HAS FILED

Having dismissed most of the complaint, he supplies the thing he would be doing instead, and it is concrete enough to be tested.

There is a Transition Act. It obliges the relevant agency to act once a president-elect is apparent. The agency has refused. Were he advising, he would have gone to court for an interpretation of that statute and a ruling on whether the refusal is lawful.

His frustration is not with the obstruction; it is with the response to it. Complain, he says, when there are actions you could take and are not taking — that is what bothers him.

It is worth recording what happened next: the ascertainment was made four days after this broadcast, without litigation. The point survives the outcome, because his objection was to a posture rather than to a delay.

"Complain when there are actions you yourself can take and are not taking. That worries me."

— Prof. Bolaji Akinyemi

06 · THE CONCESSION THAT WAS NEVER RETURNED

Asked whether the president-elect's studied statesmanship may start to cost him, he confirms that his own remarks should be read exactly that way, and then makes the case with evidence.

The claim on which the incoming president's reputation rests is that he can reach across the aisle. The Professor points at the record: a Republican Senate blocked the previous administration's judicial appointments — a Supreme Court seat and some two hundred judgeships that the outgoing president then boasted of having been handed. If reaching across could not prevent that, what exactly is the ability worth?

Then he tells a story from his own time in office, and it is the best piece of negotiating instruction in the archive. At a Commonwealth meeting the question was sanctions on South Africa against constructive engagement. The British prime minister wanted no sanctions; most of the Commonwealth wanted them; a committee of foreign ministers was formed to break the deadlock.

The British foreign secretary came with a plan to water the sanctions down, and gave the impression that if concessions were made he would come on board. The Professor stops mid-sentence to make

the distinction the whole story turns on: he gave the impression. He did not commit. He did not lock himself into a position.

So they met him halfway. The dilution went into the record of the negotiation. And then he declined to support sanctions at all — and when they tried to withdraw the concession, pointed out, accurately, that he had never promised anything.

The lesson he draws is unsentimental and immediately applicable: do not make concessions in the hope that they will buy support. Which is why, he says, the Senate runoffs in Georgia are absolutely crucial — because a majority is the only thing that does not have to be bought.

“Mark my words — he gave the impression. He did not commit himself. And the concession was already in the record.”

— Prof. Bolaji Akinyemi

07 • WHY THE GEORGIA RUNOFFS DECIDE THE CABINET

On the president-elect naming campaign staff to White House positions, he removes the cynical reading entirely. This is not the rewarding of loyalists. Unless you are already a sitting president, you build a campaign out of the people you intend to govern with — you position them in advance so that they are known to you and to each other.

And in this case, he notes, most of them have already served — with the president-elect as vice-president, and some with the president before him. Known faces, capable hands.

Then the structural point the section exists for. White House staff require no confirmation, so a hostile Senate is irrelevant to them. Cabinet secretaries do. Which means the two Georgia runoffs decide not merely a majority but whether the incoming president can staff the departments at all — and therefore whether he has the team he intends to govern with.

“White House staff need no confirmation. Cabinet members do. That is why Georgia is absolutely critical.”

— Prof. Bolaji Akinyemi

08 • THE BOOBY TRAPS

Asked what happens if the president simply refuses to leave, he returns to the constitutional route he explained the week before, and repeats it in the same terms — including the same figures, which are corrected below. There are provisions, he says, that nobody knows are there because they have never been used.

What is new this week is the evidence that the theory has teeth. Two Republican members of a Michigan county board initially refused to certify results, were praised publicly by the president, and then — he thinks the better part of them prevailed — signed after all.

That, he says, is the shape of what is coming: sustained pressure on the people whose signatures the process depends on.

As to what would happen on the streets if the route were actually taken, he declines to speculate, and gives the honest reason. It has not happened in modern history, and he has nothing to reason from.

“There are booby traps in that constitution which, because they have never been used, people do not even know are there.”

— Prof. Bolaji Akinyemi

09 • BE CAREFUL WHO YOU CANONISE

The former president's memoir had appeared two days earlier. He jokes about suing the authors of the autumn's books for the damage to his eyes, and then goes to the passage that struck him.

The author raises a doubt about his own conduct: whether the coolness he maintained under personal and racial attack — a coolness so complete that a commentator said he out-cooled cool — was in fact the right response. And has not resolved it.

That prompts the most provocative argument in the broadcast, and it arrives unannounced. One American politician has been canonised as a model of values: the senator who lost to him. But that senator, the Professor points out, is the man who brought Sarah Palin into the mainstream of American politics — and on his reading that is the foundation on which the populism that followed was built.

The sequence is not quite as he gives it, and the correction is below. The argument underneath survives it: figures who are remembered for their late decency also did things earlier that made later things possible. Be careful who you canonise. Do not forget the history.

He concedes the other side of it fairly — the man was genuinely civil after the campaign, and may have regretted what he did.

And then he closes the loop back to the transition, which is what the whole passage was for. He hopes the incoming president will not try to out-cool cool with a hostile Senate. Fight fire with fire. Let people see you have a backbone. They will frustrate you regardless, and your civility will not change their behaviour.

“We had better be careful about who we canonise. We had better not forget history.”

— Prof. Bolaji Akinyemi

10 • THE NEXUS HE WILL NOT ACCEPT

He is generous about the coolness before he criticises it. In that position he might have done the same — the man was acutely conscious of the need to reassure a political system that his election was not the beginning of retribution, that this was a safe pair of hands.

Then the flat verdict: maybe I would have done the same thing. But it did not work.

The memoir concedes that the election of his successor was a direct reaction to his own. The Professor challenges the causal link, and does it with arithmetic. The other candidate won three million more votes. What put the successor in office was the electoral college, not a backlash expressed at the ballot box — and to say otherwise does the American electorate a disservice.

He adds the campaign explanation as well, and it has aged well: the losing candidate took Pennsylvania, Wisconsin and Michigan for granted, and those are precisely the states just won back.

On why the book appeared now, he assumes deliberateness — the author does nothing by chance — and admits he cannot read the motive.

“To say that is to do the American electorate a disservice. She won three million more votes. It was the electoral college.”

— Prof. Bolaji Akinyemi

11 • NEVER TAKE ON THE PRESS

The last question is about the confrontation between CNN and the Nigerian government over the network's investigation into the Lekki toll gate, which used geolocated and time-stamped footage and which the government has rejected.

His answer is a lesson from his own career, offered without elaboration: never take on the press. You will not win.

The arithmetic he supplies is the whole argument. The network had run the report seven times in three days. A government can keep issuing rebuttals, and the world will still be saturated with the broadcast rather than with the reply.

On the suggestion of sanctioning the network, he does not argue at all. He wishes whoever attempts it good luck.

“Never take on the press. You will not win.”

— Prof. Bolaji Akinyemi

THREADS TO PULL

- If the only power an official has against an unlawful order is resignation, the institution is only as strong as its willingness to empty itself. What would a better remedy look like?
- He says ninety-five per cent of classified reporting is already public and the value is in interpretation. If that is right, what exactly is classification protecting?
- The Commonwealth story turns on the difference between an impression and a commitment. How would you draft a negotiation so that impressions cost something?
- Canonising a politician for late decency while forgetting an earlier decision is how most reputations are built. Which contemporary figure is being canonised that way now?
- He rejects the idea that the 2016 result was a backlash because the popular vote went the other way. Does the electoral college explanation actually dispose of the backlash argument, or only relocate it?

Watch Session 25 in full on the Syncterface Media channel. New episodes every Thursday, 7pm WAT (7pm UK, 2pm ET).

More analysis: tmeinsights.com · profbolajiakinyemi.com

*An early broadcast with a correspondingly rough automatic transcript; quotations have been cleaned for readability — punctuation and obvious mis-transcriptions only, never sense — with the raw forms listed in the transcript header. Corrections, several repeated from the previous issue: the contingent-election mechanism is as he describes, but Republicans held a majority in roughly twenty-six to twenty-seven state delegations rather than thirty-three, and he says "fifty electors" where he means fifty state delegations; in *Chiafalo v. Washington*, decided in July 2020, the Supreme Court upheld state laws binding electors to their pledge; the Transition Act requires the agency to ascertain an apparent winner but sets no twenty-four-hour deadline, and the ascertainment came four days after this broadcast without litigation; and Sarah Palin was selected as a running mate in 2008, before the Tea Party movement emerged in 2009, so she became its most prominent figure rather than arriving from it. The board members who initially refused to certify were in Michigan. His characterisation of Afghans is reported as his own and is a generalisation about a people rather than an argument about a government.*