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A second Trump term could mean mayhem

With immunity from prosecution and few bureaucratic constraints, Trump 2.0 could see federal agencies weaponised against his perceived enemies

It may be familiar, but this refrain bears repeating: American democracy and governance now face an extended period of maximum danger. Donald Trump has refused to pledge a peaceful transition of power were he to lose the election and has signalled his intention to govern as a vindictive hyperpartisan were he to win, describing Democrats as 'the enemy from within' and 'radical left lunatics' on whom he could unleash the National Guard.

A Trump victory could produce considerable civil mayhem, in part because of Trump v. United States, the Supreme Court's decision granting Trump broad immunity for official presidential acts. Equipped with that decision, he has telegraphed his determination to govern by fiat and persecute his perceived enemies. The United States, now a tense democracy, could lurch from being an illiberal republic to a dictatorship by any other name.

Little constraints

In a second term, Trump would be subject to few, if any, of the bureaucratic constraints that barely contained the authoritarian impulses that he displayed during his first term and few of the judicial, political or legislative ones. How he would re-engineer the federal government's security apparatus to visit or facilitate reprisals has become plain. Trump has vowed to eviscerate the professional, nonpartisan civil service and staff the government with loyalists. His campaign's Agenda47 echoes the concept, and Project 2025, spearheaded by the Heritage Foundation, provides the blueprint.

One telling indication of his intent to steamroller normal personnel procedures is a recently reported internal proposal to expedite security clearances for political appointees through private security firms,

bypassing the FBI's customarily probing background checks. A radical reorientation of federal governance along those lines could leave its law-enforcement and counterterrorism apparatus – already hobbled by some conservatives' reluctance to impugn right-wing extremists – in the hands of zealous partisans.

In his first term, Trump showcased his eagerness to use presidential power coercively. His response to the protests following the killing of George Floyd in 2020 provides an illustrative example. When Pentagon officials balked at his preferred resort to the military (which is excluded from domestic law enforcement under the Posse Comitatus Act except when authorised by law), he turned to a narrow statute empowering the Department of Homeland Security to protect federal property and employees, and repurposed it as authorisation to muster a militia for repelling protesters from federal agencies. Homeland Security dispatched hundreds of personnel ordinarily assigned far different duties to suppress protests in predominantly Democratic cities, some in unmarked vehicles wearing combat fatigues and not clearly identifiable as federal law-enforcement officers, many untutored in riot control or handling mass demonstrations and a few failing to follow constitutionally required arrest and detention procedures.

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On more than one occasion in 2020, Trump's more extremist advisers suggested invoking the Insurrection Act to impose martial law. He has implied that he would use it in a second term, and it would be easier to do so. If Trump wins in November, he would refrain from surrounding himself with constraining 'adults in the room', like his former chief of staff Gen. John Kelly, who has publicly assessed Trump to be a fascist. Trump would be likely to elevate any senior military officers who subscribed to his expansive idea of executive power — though they might be few. And he wouldn't have to worry about re-election or post-presidency jail time.

He could try whatever schemes he wanted with little concern about legal redress, subject only to what would probably be weak structural and political checks, especially given the strong possibility that Republicans would gain a majority in the Senate and, therefore, firm control over crucial appointments requiring confirmation.

Picture a CIA or an FBI run by an unqualified sycophant like Kash Patel,

or a Department of Homeland Security supervised by the anti-immigration obsessive Stephen Miller. Atop agencies either bent by sympathetic new hires or hollowed out by the departures of disaffected or ruthlessly culled professionals, they would encounter little friction in carrying out an agenda that could profoundly unsettle the everyday lives of Americans across the country.

Large-scale social disruption

That could involve mass deportation of undocumented immigrants, energised enforcement of abortion bans or acceptance of law-enforcement excesses. Each of these initiatives would cause large-scale social disruption, already foreshadowed by the Trump administration's family-separation policy at the border, untreated and medically imperilled pregnant women in the wake of the Supreme Court decision overturning Roe and the events of summer 2020. Mass deportation, in particular, would potentially involve vastly intrusive dragnets and continual dangerous confrontations between law enforcement and immigrants (and any Americans who happen to be in the wrong place at the wrong time). The administration would be likely to treat any widespread activism triggered on the left as a pretext for a violent, large-scale response, as Trump's first administration treated the Black Lives Matter protests.

Should Trump deem federal institutional instruments insufficient, there is the possibility that he would goad militia groups – potentially including militias recently established by several Republican governors and county officials – to act on his behalf. His wink-and-nod endorsement of right-wing vigilantism has been unprecedented for a mainstream politician.

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Once president again, his musings would more directly induce state and local law enforcement officers, like the growing legion of 'constitutional sheriffs', to tolerate vigilante misdeeds or even to collude in them. The risk of an eventual armed response from the left, whose purchases of weapons have accelerated, would rise.

The landscape of a United States led by Trump would be dotted with potential flash points that could conflagrate into wider instability.

Without guardrails – a reliable rule of law, the proverbial adults in the room, a professional civil service to deflect or slow-roll outrageous

presidential whims – pre-empting or blunting Trump's efforts is a daunting proposition. Blue states or cities could try to provide legal sanctuaries, but Trump himself has vowed to work with Congress on passing a law to end all sanctuary cities, and the resulting confrontations would risk further polarising and destabilising the country.

The only sensible way to Trump-proof American governance is to elect Kamala Harris.

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