



OBSERVATIONS AND LESSONS LEARNED FROM THE DEMOCRACY FUTURES PROJECT'S TABLETOP EXERCISES

- The authoritarian agenda set out by Donald Trump represents a clear and present danger to the continuation of our constitutional government as we know it.
- A recent set of tabletop exercises on restraining an authoritarian ruler suggests that there are few effective restraints against the abuse of power by a US president who is determined to shred the Constitution and ignore the rule of law, while surrounded by enablers willing to carry out direct orders or act based on general pronouncements, and while benefitting from little resistance from Congress and the Supreme Court.
- Should Trump win in 2024, defending democracy will require far more resources, coordination and creativity than have been deployed to date. Absent collective efforts to fully grasp the threats, organization and coordination, pro-democracy forces are likely to be fragmented and woefully ineffective.
- Preparations are urgently needed and cannot suffer from a failure of imagination as to how comprehensive and forceful the attacks on the rule of law are likely to be.
- The tabletop exercises were organized by the Brennan Center for Justice and involved 175 participants – Republicans, Democrats and independents, veterans of the Trump administration and previous administrations of both parties. Among them were former governors, former cabinet members, former state attorneys general, former members of the House and Senate, retired flag and general officers, labor leaders, faith leaders, grassroots activists, members of the Brennan Center staff and C-suite business executives.

There is no denying that American democracy is at a dangerous crossroads. In contrast to the 2016 and 2020 presidential elections, democracy is squarely on the ballot this November. In 2016, few expected that Trump would seek to take a sledgehammer to the Constitution and, by the time the 2020 election rolled around, the democracy scorecard was skewed for two reasons: first, countless men and women in government, starting with staff in the Trump White House, had diluted or diverted anti-democratic acts inspired or directed by Donald Trump and his loyalist, and second, the nation had not witnessed, let alone comprehended the magnitude of the efforts that led to, the attempted coup that culminated with the January 6th insurrection.

The [potential parade of horrors](#) that a vengeful Trump could visit upon the institutions of government and the rule of law is now well known thanks to a combination of Trump's own threats, and the near universal recognition that the guardrails that would mitigate Trump's worst instincts will be non-existent. (See also [American Autocracy Threat Tracker](#).) The question is what do we do about it, or as President Biden reminded us last week, what will we do to ensure the survival of the republic born in 1787 ("if we can keep it")? Obviously, the best way will be at the ballot box. But, what if the Electoral College delivers a different outcome? How do pro-democracy forces react?



Four years ago, a bipartisan group of experts, under the leadership of former Defense Department official Rosa Brooks and historian Nils Gilman, gathered to game out what a contested election that November would look like and how the nation should prepare for likely scenarios following Election Day. The observations and lessons learned from four tabletop exercises (known as the [Transition Integrity Project](#)), including the very real threat of what has since been collectively referred to as the “Big Lie,” were eerily prescient.

During May and June 2024, a similar set of tabletop exercises premised on an electoral victory by Trump in the November election were conducted, again by a group of bipartisan participants, though larger this time, to explore what to expect were Trump to make good on his threats to carry out some of the more high profile authoritarian acts he regularly calls out in campaign rallies and interviews and how pro-democracy forces (which I refer to herein generically as “defenders of democracy”) would need to respond. Brooks and Gilman, as outside consultants, were joined by journalist Barton Gellman and attorney Miriam Rosenbaum, to organize this election cycle’s tabletop exercises, known as the [Democracy Futures Project](#).

Three disclaimers:

- First, the lessons learned and observations summarized below are based on scenario exercises that presuppose that Donald Trump is the next president of the United States. No one can predict the outcome of the election and, in holding the simulations, there was no intention of suggesting that Trump would prevail.
- Second, these tabletop exercises are just that – simulations based on explicit threats made by Trump and his allies. The exercises are designed to understand what *might* happen and what options *would* be available were Trump to make good on his threats.
- Third, the participants did not bring to these exercises organized resistance plans or strategies; if anything, these exercises are intended to highlight what those plans and strategies should look like. (A recent article in the New York Times (“[The Resistance to a New Trump Administration Has Already Started](#)”) did highlight the emergence of a coalition of civil society groups, such as [Democracy Forward](#), [Protect Democracy](#), [Principles First](#), [State Democracy Defenders Action](#), the [ACLU](#) and the [National Immigration Law Center](#), that are coming together to lay the groundwork for such a resistance.)

One explanation: The various exercises included role players aligned with a new Trump administration (Red team) and the pro-democracy forces (Blue team), as well as players, such as civil servants, business leaders, civil society, the media and the military chain of command, with no fixed formal alignment.

One observation unrelated to the exercises. As a growing number of pro-democracy actors note, it is not really a question of whether “it could happen here.” In a sense, it already is “happening here,” and will continue even if Trump is defeated in November. Consider, the election denial among Republican office-seekers, the ongoing threats against election administrators and election workers, book bans, voter suppression legislation and legal challenges to further restrict access to the ballot box, the encroachment of Christian



nationalism, the rolling back of rights and the pervasive impact of anti-majoritarian biases in our constitutional system further eroding rights and threatening communities.

Today's media coverage of the exercises include:

- The Washington Post (Bart Gellman): [How to defend government against an authoritarian president.](#)
- The New Republic (David Rothkopf): [Here's How President Trump Would Run Roughshod Over Our Democracy.](#)
- The Bulwark (Rosa Brooks): [Democracy Will Suffer a Relatively Quiet Death. We Simulated It.](#)
- The LA Times (Nils Gilman): [A second Trump term would be a disaster for the climate.](#)
- The Guardian (Ed Pilkington): [Washington insiders simulated a second Trump presidency. Can a role-play save democracy?](#)

Among the principal observations from the exercises:

- While there are paths to deflect, delay and perhaps diminish the damage caused by a president with an anti-democratic agenda, there are few effective restraints against the abuse of power by a US president.
- Defending democracy will require far more resources, coordination and creativity than have been deployed to date. Preparations are urgently needed, and the necessary efforts cannot suffer from a failure of imagination as to how comprehensive and forceful the attacks on the rule of law are likely to be. Time is of the essence.
- In American politics, there is no recognized leader of the opposition. Forces defending democracy must come together, bound by the common purpose of fighting for the rule of law and stymying the assaults on our institutions by whatever lawful means are available. In the exercises, the Blue teams tended to be divided, tended to default to institutional solutions (such as court challenges and media outreach) that were unlikely to survive against authoritarian tactics, were insufficiently creative and lacked compelling messages that would resonate with the public.
- Governors and state attorneys general have more power than they may realize to protect their residents from the abusive exercise of federal power. Pro-democracy forces need to consider threats that they are unlikely to have considered in the past.
- Authoritarian regimes count on enablers who may be willing to break the law. While Trump's presidential immunity from criminal prosecution, flowing from the recent Supreme Court [ruling](#) on immunity, is expansive, that immunity will not extend beyond him. It may be possible, therefore, for defenders of the rule of law, including state law enforcement authorities, to prevent, delay or dilute anti-democratic actions by threatening the enablers with criminal prosecution or civil lawsuits under state law or regulation, and professional sanctions (recall the disbarment [proceedings](#) brought again ex-Trump legal counsel).
- Civil litigation has its limitations and should not be viewed as the primary tool to counter authoritarian action.



- If Democrats control the House and/or the Senate, there are a range of legislative actions that could be deployed in support of the rule of law.
- Nonviolent civil disobedience tactics, ranging from large-scale street protests to strikes and work stoppages, could be powerful tools.
- Public opinion counts, but to galvanize the public, effective messaging will be needed well before Inauguration Day.

Among the principal lessons learned from the exercises:

- The authoritarian agenda set out by Trump and his allies (including the Heritage Foundation) represents a clear and present danger to the continuation of our constitutional government as we know it.
- Pro-democracy forces will need to overcome their differences and come together in common purpose to counter the myriad ways in which an authoritarian agenda is implemented.
- Democracy donors will need to increase their investments in anti-authoritarian causes and support pro-democracy efforts.
- Blue state governors and state attorneys general need to prepare for a possible Trump victory.
 - Consideration needs to be given to state laws and regulations that can restore protections that are stripped away by the federal government.
 - Preparations need to be made for civil and criminal enforcement actions that target unlawful actions undertaken in the name of the President.
 - Governors need to understand the scope and limits of their authority over their National Guard units and should develop options to limit the federalization of law enforcement components in their states.¹

¹ State National Guard units may be deployed in one of three ways:

- **Title 10** orders are issued under the authority of the President and involve federal active-duty military service. Title 10 deployments historically are for overseas mobilizations and national defense efforts. A Title 10 deployment typically would mean participation in military operations with the same legal protections, pay and benefits as active-duty military.
- **Title 32** orders are issued by state governors and involve active duty under state control, with pay and benefits covered by the federal government. Title 32 deployments usually are part of responses to natural disasters.
- National Guard units may also be ordered to active duty (**State Active Duty or SAD**) by their governors and remain under control of those governors, with pay and benefits provided under state law. SAD deployments may involve law enforcement authority (also true of Title 32 deployments), which would be prohibited for Title 10 deployed units, unless authorized by Congress (e.g., acting under the Insurrection Act).



- State attorneys general should be in close contact with, and review their authorities over, those who will be called upon to protect the rights of citizens – district attorneys, state/local police chiefs and county sheriffs.
- Defenders of democracy will need to mobilize public opinion through effective communications, to inspire resilience and resistance, and to remind citizens what they stand to lose and that they are not alone in opposing authoritarian rule.
- Defenders of democracy, including judges, prosecutors, election officials, journalists, and civil society/academic disinformation researchers, will need to be prepared to defend themselves and one another, using all lawful means at their disposal (this admittedly is already a significant issue today).
 - Protections will need to cover legal representation, online and offline operational security, strategic communications and mental health counselling.
 - Defenders need to have assessed their vulnerabilities, and not just from an online and offline security perspective. Non-profit organizations need to prepare for audits, subpoenas and challenges to their tax-exempt status, for example. Universities will likely be targeted as well.
 - In light of the all-too common tendency of people to defer under pressure, defenders should obtain pre-commitments from potential defenders and other allies to take action should specified threats come to fruition.
- Defenders of democracy should not assume that the courts or other institutions of government will shield them. There is the real possibility that a Trump administration would defy court orders. Therefore, defenders must think urgently and creatively about potential alternative courses of action.
- In light of the fact that business communities have strong interests in stability, predictability and protecting the rule of law, defenders of democracy should engage with business leaders ahead of time.
- Anti-authoritarian forces may not be monolithic, which would present opportunities to identify sympathetic pro-democracy allies wherever they may be found.
- There have been in the recent past, and there are today, authoritarian rulers in a number of countries around the world. These range from illiberal democracies such

The Insurrection Act would allow the President to deploy active-duty military units or federalized National Guard units (under Title 10) to quell protests, even over the objections of state governors. If federalized, National Guard units come under the command and control of the Secretary of Defense.

National Guard units (in their default state) are not subject to the constraints of the Posse Comitatus Act (PCA), meaning they can assume a law enforcement role. Title 32 units also are not subject to the constraints of the PCA, as they remain subject to control of the relevant state governor. If federalized (under Title 10), National Guard units become subject to PCA, but can engage in law enforcement if deployed under the Insurrection Act (or other act of Congress).



as Hungary to repressive regimes, for example, in Belarus, Iran, Russia and Syria. There are lessons to be learned from those who have defeated autocracy in countries like Poland as well as those who are continuing to stand up to autocrats elsewhere. (See, for example, the messaging provided by the [Renew Democracy Initiative](#).)

Other observations from the red teams' perspective

- Four years of after-action assessments by Trump and his allies, together with the blueprint set out in Project 2025, would provide Trump and those brought into his administration with the roadmap to ensure that Trump's broad objectives are carried out with minimal resistance. First-term guardrails will not likely be in government in 2025.
- If Republicans control the House and/or the Senate, they are unlikely to provide any meaningful resistance to the Trump agenda. Establishment Republicans are few and far between and are unlikely to incur the wrath of Trump and his allies.
- The federal bureaucracy is sprawling, and institutional processes tend to be highly resistant to change. Trump and his allies will need to contend with regulations and institutional norms, and presumably his political appointees and Congressional allies will diverge on priorities and interests. Depending on the composition of the Senate, appointees may be difficult to confirm.
- The power of the Executive Power branch and the President, in particular, is incredibly broad. There is significant deference to the power of the President when acting under emergency powers, including the Insurrection Act. According to the Brennan Center, if the President declares a national emergency, over 130 authorities, including the authority to shut down communications facilities, are immediately unlocked, enabling a President to act in ways that would otherwise be against the law. (See [A Guide to Emergency Powers and Their Use](#) published by the Brennan Center.)
- Abuse of regulatory, investigative and prosecutorial tools as part of a revenge and retribution agenda could have devastating consequences for those individuals and organizations that are targeted and could prompt self-censorship by those not immediately targeted to avoid becoming targets. This would have a chilling effect across civil society.
- Trump and his allies are likely to unleash a multi-pronged assault on institutions and individuals all at once – to flood the zone. These could include:
 - firing senior federal workers under Schedule F;
 - firing federal inspectors general;
 - firing counsel involved in the criminal cases against Trump;
 - replacing members of the Joint Chiefs of Staff and the combatant commands with loyalists (particularly the commander of USNORTHCOM if there is resistance to deployment of active-duty military following an invocation of the Insurrection Act);
 - directing the IRS to audit political enemies and review tax-exempt status of universities and non-profit organizations;



- directing the Education Department (if it survives) to pull federal funding of universities;
 - prosecuting political enemies;
 - end-running the Foreign Intelligence Surveillance Act (FISA) to undertake domestic intelligence gathering;
 - weaponizing the Federal Communications Commission to withdraw licenses of news organizations that the administration views as providing unfair coverage of the administration;
 - pardoning the January 6th hostages; and
 - invoking the Insurrection Act and declaring martial law, to both quell peaceful protesters and round-up/deport undocumented migrants.
- The threat of political violence remains, and the administration could deputize militia groups, including those whose members were released as part of a January 6th pardon program.

Other observations from the blue teams' perspective

- The first takeaway from the exercises was that while there are tools to try to restrain an authoritarian ruler, there is no guaranteed method for halting most abuses of executive power.
- **As for legal remedies:** the legal, regulatory and normative structures associated with the survival of democracy for close to 250 years are not likely to be effective to stop executive abuses of power. This flows from a combination of executive power under the Constitution, the fact that a number of powers granted by Congress are not subject to judicial review and the fact that yet other powers may be deemed beyond the jurisdiction of the courts if challenges are seen as raising “political questions.” Then add the impact of the recent [immunity decision](#). Defenders of democracy should not assume the courts will come to their rescue.
- **State, county and city governments:** Blue states and blue cities in red states may have significant leeway in countering authoritarian attacks. Authorities in those states and cities need to consider whom to enlist to counter the pressure they are likely to be under. State attorneys general will need to consider who can be counted on to stay true to their oaths.
- **Other levers of resistance:**
 - Depending on the composition of **Congress**, lawmakers may/may not serve as a bulwark against an anti-democratic agenda.
 - **Government employees**, if they choose not to resign and are not fired, may or may not be able to thwart illegal orders.
 - The Uniform Code of Military Justice compels members of the military to disobey unlawful orders. The **military chain of command** may question directives they consider too vague, or that require resources that are unavailable or have not been appropriated, or that exceed their legal authorities, or that would lead to unintended consequences. Insisting on clarifications of goals, authorities, funding, rules of engagement/rules of force and proper chain of command might



forestall some abuses of power. The constellation of actors that might be activated could extend well beyond active duty military units to National Guard units, deputized constitutional sheriffs, members of the Bureau of Alcohol, Tobacco and Firearms, agents of the Drug Enforcement Agency, tactical teams from the Bureau of Prisons and members of the Customs and Border Protection tactical team (BORTAC) – recall the deployments on the streets of Portland, Oregon in July 2020.

- **Civil society** will have a role to play but it is unclear who will take up calls to arms. Unions could be valuable pro-democracy allies as they have comprehensive networks and understand the benefits of effective organizing. Business leaders may be unwilling to act for fear of retribution against them individually or their companies. Investors may need to contend with stock and credit market selloffs if some of the threatened actions come to fruition. Faith leaders and NGOs will also have roles to play.
- **Foreign governments** could line up with or against the new administration. Our adversaries could exploit the constitutional crisis through disinformation, or false flag or other operations, or they could take advantage of domestic distractions to gain geopolitical advantage overseas. Trading partners might impose sanctions or respond to trade policies with their own tariffs, triggering market selloffs. Foreign governments may be providing asylum to American dissidents.

Concluding thoughts

Funny thing about tabletop exercises. You never know how realistic these simulations are, until the lessons learned are put to the test. I truly hope we will never need to test how realistic the Trump scenarios were. But these exercises do provide valuable roadmaps for thinking about both the threats and the tools (few as they may be) that would be at the disposal of pro-democracy forces to counter the threats.

There are any number of reasons to be thinking about these scenarios and the potential responses, but perhaps the best reason for thinking about these now is that, as any human rights or other activist operating in a hostile environment will tell you, there are no shortages of tools available to autocratic rulers to chill dissent, and they work.

Steve Bannon and others have issued chilling warnings of retribution, and June 1, 2020 and January 6, 2021 have shown how close we came to succumbing to anti-democratic forces. If that day comes when anti-democratic forces assume control (and again that day will only be avoided at the ballot box), many will decide the price of dissent, or even quiet resistance, is too high. It is not hard to imagine:

- arrests of public figures and other “enemies of the state”;
- firings of civil servants and loyalty tests;
- travel bans;
- declaration of martial law and deployments of active-duty military on the streets of major metropolitan areas and ID checks at checkpoints;
- deportations of undocumented migrant and bounties for turning them in;
- restrictions on civil liberties;



- domestic surveillance

– *not my problem*. But, that said, there will be allies who will help (and many may not be obvious). The key will be to figure out who they are before the chill sets in, and understand what the realistic options are.

There is plenty to digest from these exercises, but, above all, there are two critically important messages. First, the nation is not prepared, and supporters of democracy must do all they can to change that before November. Second, the best way to ensure the viability of our democracy – to keep our republic – is at the ballot box in November.

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I participated in these tabletop exercises as an observer. As always, the views expressed in this briefing note are my own.