# THE DIRE WARNINGS WE ARE AT RISK OF FAILING TO HEAR, AND HEED

Donald Trump is crystal clear about how he will take down American democracy. Like other wannabe autocrats, he has signaled, well before he is in a position to do so, how he intends to usher in a fascist era. To be sure, he and his allies do not characterize his onslaught as such. If anything Trump will continue to hold himself out as a champion of democracy. So many other autocrats, including the rogues gallery of leaders for which Trump publicly expresses unmistakable admiration, do so as well, as a matter of course.

Aaron Blake, writing November 7 in the Washington Post ("5 ways Trump and allies plan for a more authoritarian second term") and Ruth Marcus in her Washington Post oped ("Trump does not just want to win. He wants revenge") captured it perfectly: a single hour that Sunday delivered two troubling messages – the first was the NYT/Siena College poll (see my November 10 briefing note), the second was a Washington Post exposé ("Trump and allies plot revenge, Justice Department control in second term") on how Trump and his allies plan to weaponize the Department of Justice to target his enemies. The second warning is only the latest in a handful of media reports (largely in the Washington Post, New York Times, The Atlantic and POLITICO) that lay out an anti-democratic agenda that should be called out for what it portends: a descent into fascism. As Blake summarizes the landscape (see also my July 23 briefing note):

• Trump has characterized his second term as one of retribution against his political opponents and intends to weaponize the federal government to exact that retribution. Trump reportedly has told advisers and friends he intends to target former AG Bill Barr, former JCS Chairman Mark Milley, former White House Chief of Staff John Kelly and former Trump attorney Ty Cobb, as well as Department of Justice and FBI officials. Trump has publicly called for the appointment of a special prosecutor to pursue President Biden and his family. In an <a href="interview">interview</a> with Univision that aired last Thursday, in which he praised Viktor Orbán, denied that global warming is a threat and defended his policy of separating families at the border, Trump said he could weaponize the Department of Justice and FBI against his political opponents (referring to that weaponization, he said "if they do this and they certainly have done it, ... it could happen in reverse").

Marcus noted that "[t]he irony here is that Trump is claiming the power to do precisely what his lawyers now are in court complaining – without evidence – has been illegally done to him. In a motion to dismiss the case for 'selective and vindictive prosecution,' Trump's counsel have asked Judge Tanya Chutkan to dismiss charges against Trump, claiming that 'Joe Biden pressured DOJ to pursue the nakedly political indictment in this case.' Of course, selective and vindictive prosecution is precisely what Trump and his allies are now plotting."

• Trump and his allies are reportedly drafting plans to invoke the Insurrection Act on his first day in office to quell demonstrations. The Insurrection Act would allow Trump to deploy the military against civilian demonstrations. A central figure in drafting these plans is former Trump Department of Justice official Jeffrey Clark (currently being prosecuted in the Georgia election RICO case),

who raised the idea of invoking the Insurrection Act to quell protests if Trump refused to leave the White House in January 2021. As set out in Jack Smith's August 1 <u>indictment</u>, Clark (identified as Co-Conspirator 4) is alleged to have responded to concerns by the then Deputy White House Counsel that efforts by Trump to remain in office would be met by riots in the streets, "that's why there is an Insurrection Act." Trump's desire to deploy the military on June 1, 2020, which as widely reported (*see e.g.*, "<u>Trump Aides Prepared Insurrection Act Order During Debate Over Protests</u>") was rolled back by Secretary of Defense Esper, AG Barr and General Milley, may have been the dress rehearsal for this deployment (not to mention January 6).

- Trump has threatened to purge the federal government and install loyalists. In a speech in June, Trump announced, "we will demolish the deep state. We will expel the warmongers from our government. We will drive out the globalists, we will cast out the communists, we will throw off the sick political class that hates our country." Jonathan Swan reported in Axios last summer ("Trump's revenge") that Trump allies were considering reclassifying up to 50,000 federal employees, effectively depriving them of civil service employment protections and making them easy to replace. That 50,000 figure compares to the approximately 4,000 positions typically filled by political appointees. Likely targets would be in the national security, foreign policy, law enforcement and intelligence communities. To implement this plan, the intention is to install more aggressive and loyal lawyers that are committed to the Trump agenda.
- Trump intends to consolidate power in the Oval Office, largely by asserting authority over large parts of the federal government, including historically independent federal agencies such as the Federal Communications Commission and the Federal Trade Commission. Russ Vought, a former Trump budget director, in an interview with the New York Times, is on <a href="record">record</a> as saying "What we're trying to do is to identify the pockets of independence and seize them."
- Trump has said he will consider pardons for January 6 insurrectionists.
- The New York Times is reporting, based on interviews with Trump advisers, that Trump intends to roll out a hardline immigration policy, including ordering a Muslim-travel ban, halt refugee resettlements, impose "ideological screening and order mass deportations. A report published November 11 ("Sweeping Raids, Giant Camps and Mass Deportations: Inside Trump's 2025 Immigration Plans") describes Trump's plans for an extreme expansion of his first-term crackdown on immigration, including rounding up undocumented people already in the United States on a massive scale and detaining them in camps pending deportation, banning entry from certain Muslim-majority countries and refusing asylum claims. Trump would reassign federal agents and deputize local police and National Guard units contributed by red states.

Visas of foreign students participating in anti-Israel or pro-Palestine protests would be cancelled and consular officials would be directed to expand ideological screening of visa applicants to block visitors deemed to have "undesirable attitudes." Temporary protected status (TPS) would be revoked. Trump would seek to end "birthright citizenship."

## **Extremism**

There is nothing hypothetical about the threat, and there is no ambiguity as to what that threat entails. We know the targets and we know the objective. The consequences will be unmistakable and, if implemented even in part, will spell the end of our 250-year experiment in liberal democracy. And, sadly, even if Trump were to be sidelined, there are few Republican distancing themselves today from the threat. In fact, quite the opposite, the ideological underpinning of this anti-democratic game plan is at the heart of Republican orthodoxy... the Heritage Foundation's Project 2025 (see my July 23 briefing note).

Speaking of Republican lawmakers distancing themselves from threats, ironic that it was not until the threats targeting holdouts in the Jim Jordan Speaker's race and their wives that Republicans worked up the nerve to recognize that no one is safe in the toxic environment whipped up by extremists. This by the way is entirely consistent with the admission by Senator Romney that what keeps Republicans in check is the fear of physical attacks on themselves and their families ... what world have they been living in since 2020?

And speaking of "extremists," recall that President Biden, starting during the run-up to the 2022 midterms, fashioned the term "MAGA extremists" to distinguish moderate Republicans from their right-wing colleagues intent on gutting the government that, as succinctly captured by Heather Cox Richardson in her <a href="email update">email update</a> November 11, "regulates business, provides a basic social safety net, promotes infrastructure and protects civil rights." I submit that it is time to recognize that those facilitating MAGA extremists should not be shielded from being called out themselves as "extremists."

Taking just a snapshot: the House elected an extremist Speaker presiding over chaos as his caucus puts forward extremist legislation. We are days away from a government shutdown over Thanksgiving, which will have untold negative consequences for ordinary Americans, not to mention businesses and federal government workers, and the House Republicans are hostage to their right wing. Senate Republicans are hostage to Tommy Tuberville, and in turn our defense and national security are hostage to the right wing. As Richardson <a href="notes">notes</a>, there are other examples of extremist chaos: Republicans are trying to slash funding for Supplemental Nutrition Assistance Program (SNAP) benefits, endangering a program strongly supported by farmers, and blocking an administration budget request to fund Ukraine's military.

Republican lawmakers in Ohio and Michigan are seeking to overturn the will of their respective voters (56.6% of voters voting in Ohio earlier this month and 57% of voters voting in Michigan last November) and block protections of abortion rights now part of the Ohio and Michigan state constitutions. Just another end run around democracy, and in the case of Ohio, you would have thought Republican lawmakers would have learned after their height-of-summer attempted sleight of hand was roundly rejected by voters.

## **Sugarcoating the Threat**

I cannot quite figure out why this threat is getting so little attention. Is it that we all are numb to Trump noise, or is it that Trump 2.0 overall is so horrible to contemplate that we ignore the specifics. Or is it that that sense of American exceptionalism that has tended

to blind us to the fact that bad things that happen elsewhere, well, they just only happen elsewhere. Or is it that somehow we survived Trump 1.0 and we believe the institutions that held will hold again (ignoring for the moment that behind institutions are individuals). Or, perhaps, we just cannot grasp that Trump could win again, so the threat is hypothetical.

Or is it that much of the media cannot quite bring themselves to jettison their hyper equivalence to call out a threat that regrettably is so clearly partisan. From the days of Obama, the media demonstrate little restraint when calling out mistakes by Democrats, but somehow are unable (or unwilling) to bring themselves to do so in a concerted way when the speaker is Trump.

Robert Hubbell, in his email update November 11, citing little coverage of the Trump gaffes and non-sequiturs, let alone the outright lies, calls out the double standard whereby the "media uses every misstep by Biden as proof of senility but ignores gaping errors by Trump." "Is it because the media accepts that Trump is a fundamentally ignorant person? Or because 'that's just the way Trump talks?' Or because he makes so many errors every day they are no longer 'newsworthy,' None of those explanations excuse the silence of the major media." Mark Sumner, writing in the Daily Kos ("Donald Trump's latest speech was riddled with errors. You shouldn't need Daily Kos to tell you"), whom Hubbell cites, makes a similar point. The media needs a horserace, and "they're going to get it no matter how hard they have to press their thumb on the scale, or what risk it generates for the nation."

Tom Nichols, writing in The Atlantic makes a similar point. He <u>cites</u>, for example, media references to "critics" of Trump's intentions "as if these are ordinary policies that have 'critics' rather than plans for a dictatorship that should appall every American." In an <u>analysis</u> following the GOP debate this past week, Nichols faults the media for insisting "on treating this election as just another contest between normal politicians."

## **Countering the Threat**

Margaret Sullivan, responding to the NYT/Siena polling and the Washington Post exposé, addresses the risks in her November 9 Guardian op-ed ("The public does not understand the risks of a Trump victory. That's the media's fault"), urging "media to get across to American citizens the crucial importance of this election and the dangers of a Trump win." Unfortunately, the press she says "generally is not doing an adequate job of communicating" Trump's "autocratic plans." She notes that journalists compare Biden's age to Trump's "freewheeling style" and "blame the public's attitudes on 'polarization' as if they themselves have no role." She set out her analysis ...:

- the following message needs to be "hammered home": "Trump cannot be reelected if you want the United States to be a place where elections decide outcomes, where voting rights matter, and where politicians don't baselessly prosecute their adversaries. When Americans do understand how politics affects their lives [referring to *Dobbs*], they vote accordingly."
- We need more stories like the Washington Post and New York Times reporting, "not just in these elite, paywalled outlets, but on the nightly news, on cable TV,

- in local newspapers and on radio. We need a lot less pussyfooting in the wording."
- "Every news organization should be reporting on this with far more vigor and repetition than they do about Biden being 80 years old."
- "It's the media's responsibility to grab American voters by the lapels, not just to nod to the topic politely from time to time."

## ... and her prescriptions:

- "Report more much more about what Trump would do, post-election. Ask voters directly whether they are comfortable with those plans, and report on that. Display these stories prominently, and then do it again soon.
- Use direct language, not couched in scaredy-cat false equivalence, about the dangers of a second Trump presidency.
- Pin down Republicans about whether they support Trump's lies and autocratic plans, as ABC News's George Stephanopoulos did in grilling the House majority leader Steve Scalise about whether the 2020 election was stolen. He pushed relentlessly, finally saying: 'I just want an answer to the question, yes or no?' When Scalise kept sidestepping, Stephanopoulos soon cut off the interview.
- Newsroom leaders should be getting their staffs together to brainstorm how to do it. Right now."

Jack Shafer, writing in POLITICO November 7 ("Trump's Recipe for a Shockingly Raw Power Grab") argues that Biden and Trump's Republican competitors should escalate their criticism "to make it the leading political issue." Trump cannot be allowed to obfuscate and cannot be allowed to threaten prosecution without detailing what crimes he thinks have been committed. Trump equates his retribution with criminal indictments that have laid out in comprehensive detail the basis for prosecution. Where is his evidence? The media failed to consistently demand proof of the Big Lie, and we see where that has taken us. Shafer goes further, and this is to me a critical point: the same questions that should be addressed to Trump should be addressed to his donors and political supporters. "They are as complicit in the plot to throttle our civil liberties as Trump is believed to be."

Shafer offers prescriptions as well: "political reporters have a duty to grill Trump's primary opponents ... on whether or not they support Trump's plans for political prosecutions and the imposition of military power over the citizenry, essentially the rapid dismantling of our democratic system of governance." Avoiding the question should not be tolerated. Just as whether Joe Biden won the 2020 election (which too many Republican lawmakers seem unwilling or unable to answer), these are yes/no questions that call for yes/no answers. At the very least, any one who take an oath to support and defend the Constitution should be able to answer this question.

Hubbell rightly asks what the media storm would look like were Biden to call for DoJ indictments of his political opponent. Incidentally, the restraint of the White House has been unassailable, notwithstanding four criminal indictments and 91 pending criminal

counts against Trump, and again there is little media juxtaposition of Trump's daily harangues and the Biden restraint. This too needs to amplified.

# **Concluding Thoughts**

Marcus in her Washington Post op-ed, after pointing out that a key element of the Trump plan is to rid himself of the guardrails, starting with Department of Justice and White House lawyers who will only be hired if they are sycophants, and questioning whether the military and the judiciary will be able to hold the line, concludes by saying, "It is time to be very, very afraid." The journalists I refer to above and a small band of likeminded colleagues are clear in calling out the threats and urging a fundamental shift in the ways in which media across the channels of distribution cover the 2024 election. Their clarion call needs to be heeded.

I would go one step further. We cannot say Trump has not warned us; in fact, in preparing this briefing note I found no shortage of articles dating back to 2016 warning of Trump's disdain for the rule of law. Business leaders, political figures and donors, bar associations and individual legal practitioners, pundits, ordinary citizens - we each have a stake, and a voice, in preserving what Trump and his allies are so clearly intent on destroying. Countering the threat to crush the rule of law should cross every imaginable fault line that has emerged in this country since 2016 – political, socio-economic and cultural. As Jennifer Rubin posited in her op-ed last Friday ("Republicans have become a threat to democracy and national security"), "Defense of principles such as 'equal justice under the law' should not be a partisan effort." This is a conversation that must start today.

## Addendum

Never one to miss an opportunity to double down, Trump in a Veterans Day speech on Saturday pledged to "root out the communists, Marxists, fascists, and the radical left thugs that live like vermin within the confines of our country, that lie and steal and cheat on elections." Again aligning with autocrats, Trump warned that "the threat from outside is far less sinister, dangerous and grave than the threat from within. Our threat is from within. Because if you have a capable, competent, smart, tough Russia, China, North Korea, they're not going to want to play with us." He posted a similar message on Truth Social. Recall too that in an interview in early October with the National Pulse, he accused undocumented migrants of "poisoning the blood of our country."

Since Saturday, major media outlets have begun connecting the dots. The tempo picked up on Monday as video statements from co-conspirators in the Georgia election case circulated on air, with the lead item being "the boss is not going to leave under any circumstances. We are just going to stay in power."

Historians have been quick to point out that Trump's use of the term "vermin" echoes the exhortations of Adolf Hitler and Benito Mussolini. As Joyce Vance noted in her email update today, "[t]he use of the word 'vermin' is a surprisingly precise and archaic choice of language for a man with a limited vocabulary. Too much so to be coincidental with the Nazis' use of the German word for vermin, 'ungeziefer,' to describe and dehumanize Jews." Trump's reference to "poisoning the blood" has eerie <u>parallels</u> to Hitler telling Germans in Mein Kampf to "care for the purity of their own blood" and to one of the two

1935 Nuremberg Laws, "the Law for the Protection of German Blood." Yale University professor Jason Stanley, author of "How Fascism Works," <a href="commenting">commenting</a> on MSNBC on Trump's remark, said, "It doesn't echo 'Mein Kampf." This is textbook 'Mein Kampf." Ironic that Trump should use a day commemorating our veterans, including those who fought and died to defeat the Nazis and fascism, to spout hateful speech that would make Hitler and Mussolini, not to mention Vladimir Putin, proud.

Equally worrying, on top of his threats to prosecute those he perceives to be his enemies, deploy the military to crush protests and trash the rule of law, he is employing a longused weapon to whip up sectarian violence. At a time when anti-Semitism and hate targeting Muslim are surging, there should be no ambiguity about the potential consequences of the toxic combination of prosecution of political opponents, detention camps, loyalty tests and government purges, and dehumanizing the "enemy." Hitler's speech dehumanizing Jews was also intended to incite violence against Jews. Consider Kristallnacht, and consider the tragic consequences of Hutu radio messages describing Tutsis as "cockroaches." Consider too how little it took for Trump to mobilize his army of "patriots" to storm the Capitol or the extent to which "poisoning" has influenced white supremacists who committed atrocities in El Paso and at the Tree of Life Synagogue in the name of preserving the white race in the face of the "great replacement."

Trump's hate speech reinforces the imperative of calling out the parallels to fascism, of no longer treating Trump as an appropriate participant in the political process and of demanding of all remaining participants in the political process that they expressly disavow Trump's behavior. Regrettably, this may be asking too much of Republicans. Asked on Sunday news shows about Trump's "vermin" remarks, RNC chair Ronna McDonald declined to directly address them, prompting Liz Cheney to post the following: "When @GOPchairwoman refuses to condemn the GOP's leading candidate for using the same Nazi propaganda that mobilized 1930s-40s Germany to evil, it is fair to assume she's collaborating. History will judge Ronna McDonald and every Republican who is appeasing this dangerous man." Far more should be heeding the unmistakable lessons of  $20^{th}$  century history.

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Mark S. Bergman
Pillars Global Insights, LLC

Nairobi, Kenya

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