

How to Build an Autocracy

The preconditions are present in the U.S. today. Here's the playbook Donald Trump could use to set the country down a path toward illiberalism.



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IT'S 2021, AND PRESIDENT DONALD TRUMP will shortly be sworn in for his second term. The 45th president has visibly aged over the past four years. He rests heavily on his daughter Ivanka's arm during his infrequent public appearances.

Fortunately for him, he did not need to campaign hard for reelection. His has been a popular presidency: Big tax cuts, big spending, and big deficits have worked their familiar expansive magic. Wages have grown strongly in the Trump years,

especially for men without a college degree, even if rising inflation is beginning to bite into the gains. The president's supporters credit his restrictive immigration policies and his TrumpWorks infrastructure program.

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The president's critics, meanwhile, have found little hearing for their protests and complaints. A Senate investigation of Russian hacking during the 2016 presidential campaign sputtered into inconclusive partisan wrangling. Concerns about Trump's purported conflicts of interest excited debate in Washington but never drew much attention from the wider American public.

Allegations of fraud and self-dealing in the TrumpWorks program, and elsewhere, have likewise been shrugged off. The president regularly tweets out news of factory openings and big hiring announcements: "I'm bringing back your jobs," he has said over and over. Voters seem to have believed him—and are grateful.

Most Americans intuit that their president and his relatives have become vastly wealthier over the past four years. But rumors of graft are easy to dismiss. Because Trump has never released his tax returns, no one really knows.

Anyway, doesn't everybody do it? On the eve of the 2018 congressional elections, WikiLeaks released years of investment statements by prominent congressional Democrats indicating that they had long earned above-market returns. As the air filled with allegations of insider trading and crony capitalism, the public subsided

into weary cynicism. The Republicans held both houses of Congress that November, and Trump loyalists shouldered aside the pre-Trump leadership.

The business community learned its lesson early. “You work for me, you don’t criticize me,” the president was reported to have told one major federal contractor, after knocking billions off his company’s stock-market valuation with an angry tweet. Wise business leaders take care to credit Trump’s personal leadership for any good news, and to avoid saying anything that might displease the president or his family.

The media have grown noticeably more friendly to Trump as well. The proposed merger of AT&T and Time Warner was delayed for more than a year, during which Time Warner’s CNN unit worked ever harder to meet Trump’s definition of fairness. Under the agreement that settled the Department of Justice’s antitrust complaint against Amazon, the company’s founder, Jeff Bezos, has divested himself of *The Washington Post*. The paper’s new owner—an investor group based in Slovakia—has closed the printed edition and refocused the paper on municipal politics and lifestyle coverage.

Meanwhile, social media circulate ever-wilder rumors. Some people believe them; others don’t. It’s hard work to ascertain what is true.

Nobody’s repealed the First Amendment, of course, and Americans remain as free to speak their minds as ever—provided they can stomach seeing their timelines fill up with obscene abuse and angry threats from the pro-Trump troll armies that police Facebook and Twitter. Rather than deal with digital thugs, young people increasingly drift to less political media like Snapchat and Instagram.

Trump-critical media do continue to find elite audiences. Their investigations still win Pulitzer Prizes; their reporters accept invitations to anxious conferences about corruption, digital-journalism standards, the end of NATO, and the rise of populist authoritarianism. Yet somehow all of this earnest effort feels less and less relevant to American politics. President Trump communicates with the people directly via

his Twitter account, ushering his supporters toward favorable information at Fox News or Breitbart.

Despite the hand-wringing, the country has in many ways changed much less than some feared or hoped four years ago. Ambitious Republican plans notwithstanding, the American social-welfare system, as most people encounter it, has remained largely intact during Trump's first term. The predicted wave of mass deportations of illegal immigrants never materialized. A large illegal workforce remains in the country, with the tacit understanding that so long as these immigrants avoid politics, keeping their heads down and their mouths shut, nobody will look very hard for them.

“The benefit of controlling a modern state is less the power to persecute the innocent, more the power to protect the guilty.”

African Americans, young people, and the recently naturalized encounter increasing difficulties casting a vote in most states. But for all the talk of the rollback of rights, corporate America still seeks diversity in employment. Same-sex marriage remains the law of the land. Americans are no more and no less likely to say “Merry Christmas” than they were before Trump took office.

People crack jokes about Trump's National Security Agency listening in on them. They cannot deeply mean it; after all, there's no less sexting in America today than four years ago. Still, with all the hacks and leaks happening these days—particularly to the politically outspoken—it's just common sense to be careful what you say in an email or on the phone. When has politics not been a dirty business? When have the rich and powerful not mostly gotten their way? The smart thing to do is tune out the political yammer, mind your own business, enjoy a relatively prosperous time, and leave the questions to the troublemakers.

IN AN 1888 LECTURE, James Russell Lowell, a founder of this magazine, challenged the happy assumption that the Constitution was a “machine that would go of

itself.” Lowell was right. *Checks and balances* is a metaphor, not a mechanism.

Everything imagined above—and everything described below—is possible only if many people other than Donald Trump agree to permit it. It can all be stopped, if individual citizens and public officials make the right choices. The story told here, like that told by Charles Dickens’s *Ghost of Christmas Yet to Come*, is a story not of things that will be, but of things that may be. Other paths remain open. It is up to Americans to decide which one the country will follow.

No society, not even one as rich and fortunate as the United States has been, is guaranteed a successful future. When early Americans wrote things like “Eternal vigilance is the price of liberty,” they did not do so to provide bromides for future bumper stickers. They lived in a world in which authoritarian rule was the norm, in which rulers habitually claimed the powers and assets of the state as their own personal property.

The exercise of political power is different today than it was then—but perhaps not so different as we might imagine. Larry Diamond, a sociologist at Stanford, has described the past decade as a period of “democratic recession.” Worldwide, the number of democratic states has diminished. Within many of the remaining democracies, the quality of governance has deteriorated.

What has happened in Hungary since 2010 offers an example—and a blueprint for would-be strongmen. Hungary is a member state of the European Union and a signatory of the European Convention on Human Rights. It has elections and uncensored internet. Yet Hungary is ceasing to be a free country.



Viktor Orbán of Hungary, the late Hugo Chávez of Venezuela, and Jacob Zuma of South Africa all turned their countries away from liberal democracy and toward kleptocracy. Worldwide, democracy is in recession. (Sean Gallup; Avery Cunliffe / Photoshot; Chesnot; Getty)

The transition has been nonviolent, often not even very dramatic. Opponents of the regime are not murdered or imprisoned, although many are harassed with building inspections and tax audits. If they work for the government, or for a company susceptible to government pressure, they risk their jobs by speaking out. Nonetheless, they are free to emigrate anytime they like. Those with money can even take it with them. Day in and day out, the regime works more through inducements than through intimidation. The courts are packed, and forgiving of the regime's allies. Friends of the government win state contracts at high prices and borrow on easy terms from the central bank. Those on the inside grow rich by favoritism; those on the outside suffer from the general deterioration of the economy. As one shrewd observer told me on a recent visit, "The benefit of controlling a modern state is less the power to persecute the innocent, more the power to protect the guilty."

Prime Minister Viktor Orbán's rule over Hungary does depend on elections. These remain open and more or less free—at least in the sense that ballots are counted accurately. Yet they are not quite fair. Electoral rules favor incumbent power-holders in ways both obvious and subtle. Independent media lose advertising under government pressure; government allies own more and more media outlets each year. The government sustains support even in the face of bad news by artfully

generating an endless sequence of controversies that leave culturally conservative Hungarians feeling misunderstood and victimized by liberals, foreigners, and Jews.

If this were happening in Honduras, we'd know what to call it. It's happening here instead, and so we are baffled.

You could tell a similar story of the slide away from democracy in South Africa under Nelson Mandela's successors, in Venezuela under the thug-thief Hugo Chávez, or in the Philippines under the murderous Rodrigo Duterte. A comparable transformation has recently begun in Poland, and could come to France should Marine Le Pen, the National Front's candidate, win the presidency.

Outside the Islamic world, the 21st century is not an era of ideology. The grand utopian visions of the 19th century have passed out of fashion. The nightmare totalitarian projects of the 20th have been overthrown or have disintegrated, leaving behind only outdated remnants: North Korea, Cuba. What is spreading today is repressive kleptocracy, led by rulers motivated by greed rather than by the deranged idealism of Hitler or Stalin or Mao. Such rulers rely less on terror and more on rule-twisting, the manipulation of information, and the co-optation of elites.

The United States is of course a very robust democracy. Yet no human contrivance is tamper-proof, a constitutional democracy least of all. Some features of the American system hugely inhibit the abuse of office: the separation of powers within the federal government; the division of responsibilities between the federal government and the states. Federal agencies pride themselves on their independence; the court system is huge, complex, and resistant to improper influence.

Yet the American system is also perforated by vulnerabilities no less dangerous for being so familiar. Supreme among those vulnerabilities is reliance on the personal qualities of the man or woman who wields the awesome powers of the presidency. A British prime minister can lose power in minutes if he or she forfeits the

confidence of the majority in Parliament. The president of the United States, on the other hand, is restrained first and foremost by his own ethics and public spirit. What happens if somebody comes to the high office lacking those qualities?

Over the past generation, we have seen ominous indicators of a breakdown of the American political system: the willingness of congressional Republicans to push the United States to the brink of a default on its national obligations in 2013 in order to score a point in budget negotiations; Barack Obama's assertion of a unilateral executive power to confer legal status upon millions of people illegally present in the United States—despite his own prior acknowledgment that no such power existed.

Donald Trump, however, represents something much more radical. A president who plausibly owes his office at least in part to a clandestine intervention by a hostile foreign intelligence service? Who uses the bully pulpit to target individual critics? Who creates blind trusts that are not blind, invites his children to commingle private and public business, and somehow gets the unhappy members of his own political party either to endorse his choices or shrug them off? If this were happening in Honduras, we'd know what to call it. It's happening here instead, and so we are baffled.

Video: David Frum on Donald Trump's Authoritarian Tendencies

“**A**MBITION MUST BE MADE to counteract ambition.” With those words, written more than 200 years ago, the authors of the Federalist Papers explained the most important safeguard of the American constitutional system. They then added this promise: “In republican government, the legislative authority necessarily predominates.” Congress enacts laws, appropriates funds, confirms the president’s appointees. Congress can subpoena records, question officials, and even impeach them. Congress can protect the American system from an overbearing president.

But will it?

As politics has become polarized, Congress has increasingly become a check only on presidents of the opposite party. Recent presidents enjoying a same-party majority in Congress—Barack Obama in 2009 and 2010, George W. Bush from 2003 through 2006—usually got their way. And congressional oversight might well be performed even less diligently during the Trump administration.

The first reason to fear weak diligence is the oddly inverse relationship between President Trump and the congressional Republicans. In the ordinary course of events, it’s the incoming president who burns with eager policy ideas.

Consequently, it's the president who must adapt to—and often overlook—the petty human weaknesses and vices of members of Congress in order to advance his agenda. This time, it will be Paul Ryan, the speaker of the House, doing the advancing—and consequently the overlooking.

Trump has scant interest in congressional Republicans' ideas, does not share their ideology, and cares little for their fate. He can—and would—break faith with them in an instant to further his own interests. Yet here they are, on the verge of achieving everything they have hoped to achieve for years, if not decades. They owe this chance solely to Trump's ability to deliver a crucial margin of votes in a handful of states—Wisconsin, Michigan, and Pennsylvania—which has provided a party that cannot win the national popular vote a fleeting opportunity to act as a decisive national majority. The greatest risk to all their projects and plans is the very same X factor that gave them their opportunity: Donald Trump, and his famously erratic personality. What excites Trump is his approval rating, his wealth, his power. The day could come when those ends would be better served by jettisoning the institutional Republican Party in favor of an ad hoc populist coalition, joining nationalism to generous social spending—a mix that's worked well for authoritarians in places like Poland. Who doubts Trump would do it? Not Paul Ryan. Not Mitch McConnell, the Senate majority leader. For the first time since the administration of John Tyler in the 1840s, a majority in Congress must worry about their president defecting from *them* rather than the other way around.

A scandal involving the president could likewise wreck everything that Republican congressional leaders have waited years to accomplish. However deftly they manage everything else, they cannot prevent such a scandal. But there is one thing they can do: their utmost not to find out about it.

“Do you have any concerns about Steve Bannon being in the White House?,” CNN's Jake Tapper asked Ryan in November. “I don't know Steve Bannon, so I have no concerns,” answered the speaker. “I trust Donald's judgment.”

Asked on *60 Minutes* whether he believed Donald Trump's claim that “millions” of illegal votes had been cast, Ryan answered: “I don't know. I'm not really focused

on these things.”

What about Trump’s conflicts of interest? “This is not what I’m concerned about in Congress,” Ryan said on CNBC. Trump should handle his conflicts “however he wants to.”

Ryan has learned his prudence the hard way. Following the airing of Trump’s past comments, caught on tape, about his forceful sexual advances on women, Ryan said he’d no longer campaign for Trump. Ryan’s net favorability rating among Republicans dropped by 28 points in less than 10 days. Once unassailable in the party, he suddenly found himself disliked by 45 percent of Republicans.

As Ryan’s cherished plans move closer and closer to presidential signature, Congress’s subservience to the president will likely intensify. Whether it’s allegations of Russian hacks of Democratic Party internal communications, or allegations of self-enrichment by the Trump family, or favorable treatment of Trump business associates, the Republican caucus in Congress will likely find itself conscripted into serving as Donald Trump’s ethical bodyguard.

The Senate historically has offered more scope to dissenters than the House. Yet even that institution will find itself under pressure. Two of the Senate’s most important Republican Trump skeptics will be up for reelection in 2018: Arizona’s Jeff Flake and Texas’s Ted Cruz. They will not want to provoke a same-party president—especially not in a year when the president’s party can afford to lose a seat or two in order to discipline dissenters. Mitch McConnell is an even more results-oriented politician than Paul Ryan—and his wife, Elaine Chao, has been offered a Cabinet position, which might tilt him further in Trump’s favor.

Ambition will counteract ambition only until ambition discovers that conformity serves its goals better. At that time, Congress, the body expected to check presidential power, may become the president’s most potent enabler.

Discipline within the congressional ranks will be strictly enforced not only by the party leadership and party donors, but also by the overwhelming influence of Fox News. Trump versus Clinton was not 2016’s only contest between an overbearing

man and a restrained woman. Just such a contest was waged at Fox, between Sean Hannity and Megyn Kelly. In both cases, the early indicators seemed to favor the women. Yet in the end it was the men who won, Hannity even more decisively than Trump. Hannity's show, which became an unapologetic infomercial for Trump, pulled into first place on the network in mid-October. Kelly's show tumbled to fifth place, behind even *The Five*, a roundtable program that airs at 5 p.m. Kelly landed on her feet, of course, but Fox learned its lesson: Trump sells; critical coverage does not. Since the election, the network has awarded Kelly's former 9 p.m. time slot to Tucker Carlson, who is positioning himself as a Trump enthusiast in the Hannity mold.

A president determined to thwart the law to protect himself and those in his circle has many means to do so.

From the point of view of the typical Republican member of Congress, Fox remains all-powerful: the single most important source of visibility and affirmation with the voters whom a Republican politician cares about. In 2009, in the run-up to the Tea Party insurgency, South Carolina's Bob Inglis crossed Fox, criticizing Glenn Beck and telling people at a town-hall meeting that they should turn his show off. He was drowned out by booing, and the following year, he lost his primary with only 29 percent of the vote, a crushing repudiation for an incumbent untouched by any scandal.

Fox is reinforced by a carrier fleet of supplementary institutions: super PACs, think tanks, and conservative web and social-media presences, which now include such former pariahs as Breitbart and Alex Jones. So long as the carrier fleet coheres—and unless public opinion turns sharply against the president—oversight of Trump by the Republican congressional majority will very likely be cautious, conditional, and limited.



Jeffrey Smith

DONALD TRUMP WILL NOT set out to build an authoritarian state. His immediate priority seems likely to be to use the presidency to enrich

himself. But as he does so, he will need to protect himself from legal risk. Being Trump, he will also inevitably wish to inflict payback on his critics. Construction of an apparatus of impunity and revenge will begin haphazardly and opportunistically. But it will accelerate. It will have to.

If Congress is quiescent, what can Trump do? A better question, perhaps, is what can't he do?

Newt Gingrich, the former speaker of the House, who often articulates Trumpist ideas more candidly than Trump himself might think prudent, offered a sharp lesson in how difficult it will be to enforce laws against an uncooperative president. During a radio roundtable in December, on the topic of whether it would violate anti-nepotism laws to bring Trump's daughter and son-in-law onto the White House staff, Gingrich said: The president "has, frankly, the power of the pardon. It is a totally open power, and he could simply say, 'Look, I want them to be my advisers. I pardon them if anybody finds them to have behaved against the rules. Period.' And technically, under the Constitution, he has that level of authority."

That statement is true, and it points to a deeper truth: The United States may be a nation of laws, but the proper functioning of the law depends upon the competence and integrity of those charged with executing it. A president determined to thwart the law in order to protect himself and those in his circle has many means to do so.

The power of the pardon, deployed to defend not only family but also those who would protect the president's interests, dealings, and indiscretions, is one such means. The powers of appointment and removal are another. The president appoints and can remove the commissioner of the IRS. He appoints and can remove the inspectors general who oversee the internal workings of the Cabinet departments and major agencies. He appoints and can remove the 93 U.S. attorneys, who have the power to initiate and to end federal prosecutions. He appoints and can remove the attorney general, the deputy attorney general, and the head of the criminal division at the Department of Justice.

There are hedges on these powers, both customary and constitutional, including the Senate's power to confirm (or not) presidential appointees. Yet the hedges may not hold in the future as robustly as they have in the past.

Senators of the president's party traditionally have expected to be consulted on the U.S.-attorney picks in their states, a highly coveted patronage plum. But the U.S. attorneys of most interest to Trump—above all the ones in New York and New Jersey, the locus of many of his businesses and bank dealings—come from states where there are no Republican senators to take into account. And while the U.S. attorneys in Florida, home to Mar-a-Lago and other Trump properties, surely concern him nearly as much, if there's one Republican senator whom Trump would cheerfully disregard, it's Marco Rubio.

The traditions of independence and professionalism that prevail within the federal law-enforcement apparatus, and within the civil service more generally, will tend to restrain a president's power. Yet in the years ahead, these restraints may also prove less robust than they look. Republicans in Congress have long advocated reforms to expedite the firing of underperforming civil servants. In the abstract, there's much to recommend this idea. If reform is dramatic and happens in the next two years, however, the balance of power between the political and the professional elements of the federal government will shift, decisively, at precisely the moment when the political elements are most aggressive. The intelligence agencies in particular would likely find themselves exposed to retribution from a president enraged at them for reporting on Russia's aid to his election campaign. "As you know from his other career, Donald likes to fire people." So New Jersey Governor Chris Christie joked to a roomful of Republican donors at the party's national convention in July. It would be a mighty power—and highly useful.

The courts, though they might slowly be packed with judges inclined to hear the president's arguments sympathetically, are also a check, of course. But it's already difficult to hold a president to account for financial improprieties. As Donald Trump correctly told reporters and editors from *The New York Times* on November

22, presidents are not bound by the conflict-of-interest rules that govern everyone else in the executive branch.

Presidents from Jimmy Carter onward have balanced this unique exemption with a unique act of disclosure: the voluntary publication of their income-tax returns. At a press conference on January 11, Trump made clear that he will not follow that tradition. His attorney instead insisted that everything the public needs to know is captured by his annual financial-disclosure report, which is required by law for executive-branch employees and from which presidents are not exempt. But a glance at the reporting forms (you can [read them yourself](#)) will show their inadequacy to Trump's situation. They are written with stocks and bonds in mind, to capture mortgage liabilities and deferred executive compensation—not the labyrinthine deals of the Trump Organization and its ramifying networks of partners and brand-licensing affiliates. The truth is in the tax returns, and they will not be forthcoming.

Even outright bribe-taking by an elected official is surprisingly difficult to prosecute, and was made harder still by the Supreme Court in 2016, when it overturned, by an 8–0 vote, the conviction of former Virginia Governor Bob McDonnell. McDonnell and his wife had taken valuable gifts of cash and luxury goods from a favor seeker. McDonnell then set up meetings between the favor seeker and state officials who were in a position to help him. A jury had even accepted that the “quid” was indeed “pro” the “quo”—an evidentiary burden that has often protected accused bribe-takers in the past. The McDonnells had been convicted on a combined 20 counts.

The Supreme Court objected, however, that the lower courts had interpreted federal anticorruption law too broadly. The relevant statute applied only to “official acts.” The Court defined such acts very strictly, and held that “setting up a meeting, talking to another official, or organizing an event—without more—does not fit that definition of an ‘official act.’”



Members of the Trump family—Melania, Ivanka, Eric, and Donald Jr.—listen to the second presidential debate at Washington University in St. Louis, Missouri, in October. (Tasos Katopodis / AFP / Getty)

Trump is poised to mingle business and government with an audacity and on a scale more reminiscent of a leader in a post-Soviet republic than anything ever before seen in the United States. Glimpses of his family's wealth-seeking activities will likely emerge during his presidency, as they did during the transition. Trump's Indian business partners dropped by Trump Tower and posted pictures with the then-president-elect on Facebook, alerting folks back home that they were now powers to be reckoned with. The Argentine media reported that Trump had discussed the progress of a Trump-branded building in Buenos Aires during a congratulatory phone call from the country's president. (A spokesman for the Argentine president denied that the two men had discussed the building on their call.) Trump's daughter Ivanka sat in on a meeting with the Japanese prime minister—a useful meeting for her, since a government-owned bank has a large ownership stake in the Japanese company with which she was negotiating a licensing deal.

Suggestive. Disturbing. But illegal, post-*McDonnell*? How many presidentially removable officials would dare even initiate an inquiry?

You may hear much mention of the Emoluments Clause of the Constitution during Trump's presidency: "No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State."

But as written, this seems to present a number of loopholes. First, the clause applies only to the president himself, not to his family members. Second, it seems to govern benefits only from foreign governments and state-owned enterprises, not from private business entities. Third, Trump's lawyers have argued that the clause applies only to gifts and titles, not to business transactions. Fourth, what does "the Consent of Congress" mean? If Congress is apprised of an apparent emolument, and declines to do anything about it, does that qualify as consent? Finally, how is this clause enforced? Could someone take President Trump to court and demand some kind of injunction? Who? How? Will the courts grant standing? The clause seems to presume an active Congress and a vigilant public. What if those are lacking?

It is essential to recognize that Trump will use his position not only to enrich himself; he will enrich plenty of other people too, both the powerful and—sometimes, for public consumption—the relatively powerless. Venezuela, a stable democracy from the late 1950s through the 1990s, was corrupted by a politics of personal favoritism, as Hugo Chávez used state resources to bestow gifts on supporters. Venezuelan state TV even aired a regular program to showcase weeping recipients of new houses and free appliances. Americans recently got a preview of their own version of that show as grateful Carrier employees thanked then-President-elect Trump for keeping their jobs in Indiana.

"I just couldn't believe that this guy ... he's not even president yet and he worked on this deal with the company," T. J. Bray, a 32-year-old Carrier employee, told

Fortune. “I’m just in shock. A lot of the workers are in shock. We can’t believe something good finally happened to us. It felt like a victory for the little people.”

Trump will try hard during his presidency to create an atmosphere of personal munificence, in which graft does not matter, because rules and institutions do not matter. He will want to associate economic benefit with personal favor. He will create personal constituencies, and implicate other people in his corruption. That, over time, is what truly subverts the institutions of democracy and the rule of law. If the public cannot be induced to care, the power of the investigators serving at Trump’s pleasure will be diminished all the more.

“**T**HE FIRST TASK for our new administration will be to liberate our citizens from the crime and terrorism and lawlessness that threatens our communities.” Those were Donald Trump’s words at the Republican National Convention. The newly nominated presidential candidate then listed a series of outrages and attacks, especially against police officers.

America was shocked to its core when our police officers in Dallas were so brutally executed. Immediately after Dallas, we’ve seen continued threats and violence against our law-enforcement officials. Law officers have been shot or killed in recent days in Georgia, Missouri, Wisconsin, Kansas, Michigan, and Tennessee.

On Sunday, more police were gunned down in Baton Rouge, Louisiana. Three were killed, and three were very, very badly injured. An attack on law enforcement is an attack on all Americans. I have a message to every last person threatening the peace on our streets and the safety of our police: When I take the oath of office next year, I will restore law and order to our country.

You would never know from Trump's words that the average number of felonious killings of police during the Obama administration's tenure was almost one-third lower than it was in the early 1990s, a decline that tracked with the general fall in violent crime that has so blessed American society. There had been a rise in killings of police in 2014 and 2015 from the all-time low in 2013—but only back to the 2012 level. Not every year will be the best on record.

A mistaken belief that crime is spiraling out of control—that terrorists roam at large in America and that police are regularly gunned down—represents a considerable political asset for Donald Trump. Seventy-eight percent of Trump voters believed that crime had worsened during the Obama years.

Civil unrest will not be a problem for the Trump presidency. It will be a resource. Trump will likely want to enflame more of it.

In true police states, surveillance and repression sustain the power of the authorities. But that's not how power is gained and sustained in backsliding democracies. Polarization, not persecution, enables the modern illiberal regime.

By guile or by instinct, Trump understands this.

Whenever Trump stumbles into some kind of trouble, he reacts by picking a divisive fight. The morning after *The Wall Street Journal* published a story about the extraordinary conflicts of interest surrounding Trump's son-in-law, Jared Kushner, Trump tweeted that flag burners should be imprisoned or stripped of their citizenship. That evening, as if on cue, a little posse of oddballs obligingly burned flags for the cameras in front of the Trump International Hotel in New York. Guess which story dominated that day's news cycle?

Civil unrest will not be a problem for the Trump presidency. It will be a resource. Trump will likely want not to repress it, but to publicize it—and the conservative entertainment-outrage complex will eagerly assist him. Immigration protesters

marching with Mexican flags; Black Lives Matter demonstrators bearing antipolice slogans—these are the images of the opposition that Trump will wish his supporters to see. The more offensively the protesters behave, the more pleased Trump will be.

Calculated outrage is an old political trick, but nobody in the history of American politics has deployed it as aggressively, as repeatedly, or with such success as Donald Trump. If there is harsh law enforcement by the Trump administration, it will benefit the president not to the extent that it quashes unrest, but to the extent that it enflames more of it, ratifying the apocalyptic vision that haunted his speech at the convention.



Trump supporters in Grand Rapids, Michigan, at a stop on Trump's postelection thank-you tour (Don Emmert / AFP / Getty)

AT A RALLY in Grand Rapids, Michigan, in December, Trump got to talking about Vladimir Putin. “And then they said, ‘You know he’s killed reporters,’” Trump told the audience. “And I don’t like that. I’m totally against that. By the way, I hate some of these people, but I’d never kill them. I hate

them. No, I think, no—these people, honestly—I’ll be honest. I’ll be honest. I would never kill them. I would never do that. Ah, let’s see—nah, no, I wouldn’t. I would never kill them. But I do hate them.”

In the early days of the Trump transition, Nic Dawes, a journalist who has worked in South Africa, [delivered an ominous warning](#) to the American media about what to expect. “Get used to being stigmatized as ‘opposition,’” he wrote. “The basic idea is simple: to delegitimize accountability journalism by framing it as partisan.”

The rulers of backsliding democracies resent an independent press, but cannot extinguish it. They may curb the media’s appetite for critical coverage by intimidating unfriendly journalists, as President Jacob Zuma and members of his party have done in South Africa. Mostly, however, modern strongmen seek merely to discredit journalism as an institution, by denying that such a thing as independent judgment can exist. All reporting serves an agenda. There is no truth, only competing attempts to grab power.

By filling the media space with bizarre inventions and brazen denials, purveyors of fake news hope to mobilize potential supporters with righteous wrath—and to demoralize potential opponents by nurturing the idea that everybody lies and nothing matters. A would-be kleptocrat is actually better served by spreading cynicism than by deceiving followers with false beliefs: Believers can be disillusioned; people who expect to hear only lies can hardly complain when a lie is exposed. The inculcation of cynicism breaks down the distinction between those forms of media that try their imperfect best to report the truth, and those that purvey falsehoods for reasons of profit or ideology. *The New York Times* becomes the equivalent of Russia’s RT; *The Washington Post* of Breitbart; NPR of Infowars.

One story, still supremely disturbing, exemplifies the falsifying method. During November and December, the slow-moving California vote count gradually pushed Hillary Clinton’s lead over Donald Trump in the national popular vote further and further: past 1 million, past 1.5 million, past 2 million, past 2.5 million. Trump’s share of the vote would ultimately clock in below Richard Nixon’s in 1960, Al

Gore's in 2000, John Kerry's in 2004, Gerald Ford's in 1976, and Mitt Romney's in 2012—and barely ahead of Michael Dukakis's in 1988.

This outcome evidently gnawed at the president-elect. On November 27, Trump tweeted that he had in fact “won the popular vote if you deduct the millions of people who voted illegally.” He followed up that astonishing, and unsubstantiated, statement with an escalating series of tweets and retweets.

It's hard to do justice to the breathtaking audacity of such a claim. If true, it would be so serious as to demand a criminal investigation at a minimum, presumably spanning many states. But of course the claim was not true. Trump had not a smidgen of evidence beyond his own bruised feelings and internet flotsam from flagrantly unreliable sources. Yet once the president-elect lent his prestige to the crazy claim, it became fact for many people. A survey by YouGov found that by December 1, 43 percent of Republicans accepted the claim that millions of people had voted illegally in 2016.

A clear untruth had suddenly become a contested possibility. When CNN's Jeff Zeleny correctly reported on November 28 that Trump's tweet was baseless, Fox's Sean Hannity accused Zeleny of media bias—and then proceeded to urge the incoming Trump administration to take a new tack with the White House press corps, and to punish reporters like Zeleny. “I think it's time to reevaluate the press and maybe change the traditional relationship with the press and the White House,” Hannity said. “My message tonight to the press is simple: You guys are done. You've been exposed as fake, as having an agenda, as colluding. You're a fake news organization.”

This was no idiosyncratic brain wave of Hannity's. The previous morning, Ari Fleischer, the former press secretary in George W. Bush's administration, had advanced a similar idea in a *Wall Street Journal* op-ed, suggesting that the White House could withhold credentials for its press conferences from media outlets that are “too liberal or unfair.” Newt Gingrich recommended that Trump stop giving press conferences altogether.

Twitter, unmediated by the press, has proved an extremely effective communication tool for Trump. And the whipping-up of potentially violent Twitter mobs against media critics is already a standard method of Trump's governance. Megyn Kelly blamed Trump and his campaign's social-media director for inciting Trump's fans against her to such a degree that she felt compelled to hire armed guards to protect her family. I've talked with well-funded Trump supporters who speak of recruiting a troll army explicitly modeled on those used by Turkey's Recep Tayyip Erdoğan and Russia's Putin to take control of the social-media space, intimidating some critics and overwhelming others through a blizzard of doubt-casting and misinformation. The WikiLeaks Task Force recently tweeted—then hastily deleted—a suggestion that it would build a database to track personal and financial information on all verified Twitter accounts, the kind of accounts typically used by journalists at major media organizations. It's not hard to imagine how such compilations could be used to harass or intimidate.

Even so, it seems unlikely that President Trump will outright send the cameras away. He craves media attention too much. But he and his team are serving notice that a new era in government-media relations is coming, an era in which all criticism is by definition oppositional—and all critics are to be treated as enemies.

In an online article for *The New York Review of Books*, the Russian-born journalist Masha Gessen brilliantly noted a commonality between Donald Trump and the man Trump admires so much, Vladimir Putin. "*Lying is the message,*" she wrote. "It's not just that both Putin and Trump lie, it is that they lie in the same way and for the same purpose: blatantly, to assert power over truth itself."

THE LURID MASS MOVEMENTS of the 20th century—communist, fascist, and other—have bequeathed to our imaginations an outdated image of what 21st-century authoritarianism might look like.

Whatever else happens, Americans are not going to assemble in parade-ground formations, any more than they will crank a gramophone or dance the turkey trot. In a society where few people walk to work, why mobilize young men in matching shirts to command the streets? If you're seeking to domineer and bully, you want

your storm troopers to go online, where the more important traffic is. Demagogues need no longer stand erect for hours orating into a radio microphone. Tweet lies from a smartphone instead.

“Populist-fueled democratic backsliding is difficult to counter,” wrote the political scientists Andrea Kendall-Taylor and Erica Frantz late last year. “Because it is subtle and incremental, there is no single moment that triggers widespread resistance or creates a focal point around which an opposition can coalesce ... Piecemeal democratic erosion, therefore, typically provokes only fragmented resistance.” Their observation was rooted in the experiences of countries ranging from the Philippines to Hungary. It could apply here too.

If people retreat into private life, if critics grow quieter, if cynicism becomes endemic, the corruption will slowly become more brazen, the intimidation of opponents stronger. Laws intended to ensure accountability or prevent graft or protect civil liberties will be weakened.

If the president uses his office to grab billions for himself and his family, his supporters will feel empowered to take millions. If he successfully exerts power to punish enemies, his successors will emulate his methods.

If citizens learn that success in business or in public service depends on the favor of the president and his ruling clique, then it's not only American politics that will change. The economy will be corrupted too, and with it the larger culture. A culture that has accepted that graft is the norm, that rules don't matter as much as relationships with those in power, and that people can be punished for speech and acts that remain theoretically legal—such a culture is not easily reoriented back to constitutionalism, freedom, and public integrity.

The oft-debated question “Is Donald Trump a fascist?” is not easy to answer. There are certainly fascistic elements to him: the subdivision of society into categories of friend and foe; the boastful virility and the delight in violence; the vision of life as a struggle for dominance that only some can win, and that others must lose.

Yet there's also something incongruous and even absurd about applying the sinister label of fascist to Donald Trump. He is so pathetically needy, so shamelessly self-interested, so fitful and distracted. Fascism fetishizes hardihood, sacrifice, and struggle—concepts not often associated with Trump.

A would-be kleptocrat is better served by spreading cynicism than by deceiving followers.

Perhaps this is the wrong question. Perhaps the better question about Trump is not “What is he?” but “What will he do to us?”

By all early indications, the Trump presidency will corrode public integrity and the rule of law—and also do untold damage to American global leadership, the Western alliance, and democratic norms around the world. The damage has already begun, and it will not be soon or easily undone. Yet exactly how much damage is allowed to be done is an open question—the most important near-term question in American politics. It is also an intensely personal one, for its answer will be determined by the answer to another question: What will you do? And you? And you?

Of course we want to believe that everything will turn out all right. In this instance, however, that lovely and customary American assumption itself qualifies as one of the most serious impediments to everything turning out all right. If the story ends without too much harm to the republic, it won't be because the dangers were imagined, but because citizens resisted.

The duty to resist should weigh most heavily upon those of us who—because of ideology or partisan affiliation or some other reason—are most predisposed to favor President Trump and his agenda. The years ahead will be years of temptation as well as danger: temptation to seize a rare political opportunity to cram through an agenda that the American majority would normally reject. Who knows when that chance will recur?

A constitutional regime is founded upon the shared belief that the most fundamental commitment of the political system is to the rules. The rules matter more than the outcomes. It's because the rules matter most that Hillary Clinton conceded the presidency to Trump despite winning millions more votes. It's because the rules matter most that the giant state of California will accept the supremacy of a federal government that its people rejected by an almost two-to-one margin.

Perhaps the words of a founding father of modern conservatism, Barry Goldwater, offer guidance. "If I should later be attacked for neglecting my constituents' interests," Goldwater wrote in *The Conscience of a Conservative*, "I shall reply that I was informed their main interest is liberty and that in that cause I am doing the very best I can." These words should be kept in mind by those conservatives who think a tax cut or health-care reform a sufficient reward for enabling the slow rot of constitutional government.

Many of the worst and most subversive things Trump will do will be highly popular. Voters liked the threats and incentives that kept Carrier manufacturing jobs in Indiana. Since 1789, the wisest American leaders have invested great ingenuity in creating institutions to protect the electorate from its momentary impulses toward arbitrary action: the courts, the professional officer corps of the armed forces, the civil service, the Federal Reserve—and undergirding it all, the guarantees of the Constitution and especially the Bill of Rights. More than any president in U.S. history since at least the time of Andrew Jackson, Donald Trump seeks to subvert those institutions.

Trump and his team count on one thing above all others: public indifference. "I think people don't care," he said in September when asked whether voters wanted him to release his tax returns. "Nobody cares," he reiterated to *60 Minutes* in November. Conflicts of interest with foreign investments? Trump tweeted on November 21 that he didn't believe voters cared about that either: "Prior to the election it was well known that I have interests in properties all over the world. Only the crooked media makes this a big deal!"

What happens in the next four years will depend heavily on whether Trump is right or wrong about how little Americans care about their democracy and the habits and conventions that sustain it. If they surprise him, they can restrain him.

Public opinion, public scrutiny, and public pressure still matter greatly in the U.S. political system. In January, an unexpected surge of voter outrage thwarted plans to neutralize the independent House ethics office. That kind of defense will need to be replicated many times. Elsewhere in this issue, [Jonathan Rauch describes](#) some of the networks of defense that Americans are creating.

Get into the habit of telephoning your senators and House member at their local offices, especially if you live in a red state. Press your senators to ensure that prosecutors and judges are chosen for their independence—and that their independence is protected. Support laws to require the Treasury to release presidential tax returns if the president fails to do so voluntarily. Urge new laws to clarify that the Emoluments Clause applies to the president's immediate family, and that it refers not merely to direct gifts from governments but to payments from government-affiliated enterprises as well. Demand an independent investigation by qualified professionals of the role of foreign intelligence services in the 2016 election—and the contacts, if any, between those services and American citizens. Express your support and sympathy for journalists attacked by social-media trolls, especially women in journalism, so often the preferred targets. Honor civil servants who are fired or forced to resign because they defied improper orders. Keep close watch for signs of the rise of a culture of official impunity, in which friends and supporters of power-holders are allowed to flout rules that bind everyone else.

Those citizens who fantasize about defying tyranny from within fortified compounds have never understood how liberty is actually threatened in a modern bureaucratic state: not by diktat and violence, but by the slow, demoralizing process of corruption and deceit. And the way that liberty must be defended is not with amateur firearms, but with an unwearied insistence upon the honesty, integrity, and professionalism of American institutions and those who lead them. We are living through the most dangerous challenge to the free government of the

United States that anyone alive has encountered. What happens next is up to you and me. Don't be afraid. This moment of danger can also be your finest hour as a citizen and an American.

ABOUT THE AUTHOR



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