Trump 2.0: What a Second Trump Presidency Would Bring

0:03

from The New York Times I'm Michael Babar this is a special episode of The

0:09

Daily starting today we begin a series of episodes leading up to election day

0:16

that will explore what a second Trump presidency would look like and what it

0:21

would mean for American democracy part one Trump's

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plan in 2016 I declared I am your voice

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today I add I am your Warrior I am your Justice and for those who have been

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wronged and betrayed I am your retribution I am your

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retribution on the campaign Trail Trump has outlined a second term he says

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you're not going to be a dictator are you I said no no no other than day one we're closing the border that is far

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more radical vindictive and unchecked than his first one we will root out the Communists

1:08

Marxist fascist and the radical left thugs that live like Vermin within the

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confines of our country that lie and steal and cheat on elections and my

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colleagues Jonathan Swan Maggie Haberman and Charlie Savage have found that

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behind that rhetoric is a highly coordinated plan to make his vision a

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reality this is the final battle they know it I know it you know it everybody

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knows it this is it it's Monday April

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29th all right let's start Maggie Charlie Jonathan thank you for

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rearranging your lives to be in the same room at the same time from the multiple places you all live thanks for having us

2:03

thanks for coming down to DC for it pleasure thanks for making me come down to DC for it this isn't normally how we do things

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three guests in the same room but we think this is a big enough and important enough conversation to Merit doing it

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this way and the reason we felt this way is because all three of you have been engaged in a monthl long line of

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reporting about what a second Donald Trump presidential term would look like what Trump 2.0 would seek to achieve how

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it would be from the first term and how much more it might test the Norms of our

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government and perhaps even the values of our democracy so just to begin why in

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your own minds did you undertake this project and what were your biggest

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questions heading into it Jonathan it's an obvious reporting project when you

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have somebody who's already served in government you have this body of accomplishments work intentions that

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he's half complete Ed fully completed in some cases in the first term and now he's running for office again but what

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made it different and why we were so intensely interested in this very early

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is that Donald Trump's last year of his first term was very different from the

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first three years and it was really a foreshadowing of what a second term would look like and where I sort of

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begin in my mental map of this is the first impeachment of Donald Trump in

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early 2020 we know from our reporting that he was sitting in the dining room adjoining the Oval Office watching these

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proceedings on television and he's watching this assortment of people who

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sort of embodied in his mind the Deep State testifying against him and he's saying who the f is this person who's

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this person who are these snakes they're out to get me and there were people in his government and after that

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impeachment when he was acquitted this a guy who wanted to take names and get rid of them this was a guy motivated by

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Vengeance so he brings back in his body man former bodyman Johnny mckinty who's

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this young guy who had no government experience and he basically says come in

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I want you in charge of presidential personnel and I want you to get rid of all the snakes get rid of all the

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disloyal people and that sort of sets the train for this last 10 11 months of

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government and one addendum to that Michael a lot of what they wanted to accomplish that year they couldn't

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because of co uh Co changed a lot of what they were looking at doing changed their focus changed their focus now they

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resumed ultimately trying to focus on purging the government of people who they believe were opposed to Trump but

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they were thrown from where they were initially heading shortly after the impeachment ended because of Co a and

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obviously that last year of the presidency and this new approach all of this came to a head

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after the election and in the lead up to January 6th where Donald Trump desperate to overturn the election had to search

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outside the White House for lawyers who would tell him what he wanted to hear that Mike Pence your vice president can

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unilaterally reject the results of the election and for people who would tell him that you can order your Department

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of Homeland Security to go around the country seizing voting machines those were the ideas that he was seeking out

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but he was styed he was styed because they hadn't accomplished what they set out to accomplish in terms of ridding

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the government of people who would be impediments those impediments were still there at the end and they Prov very

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decisive including the ultimate impediment which was his vice president right and so what we found through our

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reporting is that he wants to make certain that in a second term those

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people who were pushing back particularly in that last period are not there and then in fact the people who

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are there are people who are going to be bringing him the means of achieving what he wants wants to achieve well what does

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he want to achieve what do all of your combined reporting efforts reveal top

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line about what Donald Trump would seek in a second term well the first thing we

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all agreed on in this project was we didn't want this to be some

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fanfiction sitting around you know smoking a pipe trying to imagine what a second term of Trump would look like we

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want it to be rooted in real reporting and also where The Sweet Spot of this

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series was is we had reporting on what Trump himself has been saying privately and his inner circle and the

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intersection of that with this very well-funded and quite vast network of

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outside groups that are formulating policy and so we focused very intently on things that Donald Trump himself

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cares about and at the heart of that is power centralizing power clearing away

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guard rails and that is why Charlie became such an essential partner for Maggie and I because you know Maggie and

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I have the background with Trump we have the sourcing in his world and the conservative movement the outside groups

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but what we don't have is what Charlie has which is expertise in executive

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power and understanding the legal aspects of all of this well thank you for that Jonathan I could listen to you

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all day the uh no I I think the the top line of all of this is Trump is someone

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who interested in his own personal power in removing any interior barriers guard

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rails or constraints on that power he's far more interested in power as an into

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itself than in the details of policy and yet he's surrounded by people who have

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their own policy agendas that align with him and are telling him we will increase your power so that you can do these

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things and therefore it is a pulling together towards a presidency that would

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be unlike we have seen before so I just want to be very clear about this because

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it's so Central to the work you're all doing to understand what another Trump presidency might be like he you have

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found wants more power for its own sake mostly and at the same time there are

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people around him who hope to achieve certain policy goals and they've

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identified that the best way to do that is for Trump to accumulate the power

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that he wants so together they've collectively determined that the way to

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accomplish all of this is to remove the encumbrances and the obstacles that stood in Trump's way the first time and

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make sure that they are not present in a second term so let's talk about the

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details of how Trump and those around him might achieve all of this logistically where do you all think we

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should start what he's going to look for is people who are much more ideologically

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aligned with him and he's focused on a cabinet full of people who are going to

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find ways to enact the policies that he wants and what would characterize the people he would be choosing in a term

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two cabin it is going to be people who he thinks are going to enact whatever his agenda in that moment is who won't

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sty him on foreign policy who won't go out and oppose him on his views on NATO

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for instance uh Trump wants people who are going to help him get to a yes not a no and to put a final point on it his

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big regret from his first term is Personnel it's the people he hired you

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ask him who his what his biggest regret is he'll just List names Jeff sessions the first attorney general Bill bar the

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second Attorney General John Bolton all the generals that he appointed you know Mark Millie the chairman of the Joint

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Chiefs basically the list of people that you see going out and saying that he's unfit to serve that's the group of

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people that really surrounded him for the first 2 3 years of the administration and many of them saw

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their job as protecting the country and the world from Donald Trump in that last

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year Trump cleared out several of these people that he regarded as disloyal or

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obstructionist and started to appoint people that he viewed as loyal as people who were willing to implement his agenda

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but in his mind he hadn't gone nearly far enough right so let's assume Trump is able to get the cabinet that he wants

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and make the appointments that he wants what would Trump likely turn to next

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well I I think an important Insight that flows out of what Maggie and Jonathan were just saying is about a layer of

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power and potential constraint or permission that exists Less in the public eye one layer below the cabinet

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official which is the top lawyers at various departments and agencies the lawyers occupied a unique niche in the

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government because they're about what is permissible and if they say no it's a real problem and one of the things we

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wrote about early in our series was about how in the first term one of the

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constraints was that lawyers politically appointed lawyers Conservative

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Republican Federalist Society lawyers that filled the ranks of the legal structure of government in the first

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term had often acted to constrain Trump had raised legal objections about things

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that he and the people around him in the White House wanted to do they don't want any of those conversations to happen in

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the next term they want lawyers who will say yes and so they have been systematically vetting lawyers for a

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potential second term already yes and they are issuing the traditional Jonathan was the first I think reporter

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to to wake up to this a break between the Maga movement and federal Society

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conservative legal movement where the Maga movement sees them now as too willing to say no too willing to raise

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rule of law questions and wants a different kind of lawyer yeah I just kind of want to underscore how kind of

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stunning this is in many readers Minds uh particularly like liberal readers the

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Federalist Society is this sort of dark Darth Vader type entity run by Leonard

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Leo big bad Leonard Leo in Trump World now at sort of a lot of these these are

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a bunch of squishers just so you understand squishers are those who are insufficiently backboned oh yeah corre

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the federal Society was you know the heart the be heart I mean Leonard Leo

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built the pipeline that delivered Trump's Supreme Court the Supreme Court this overturned row but Donald Trump has

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had a falling out with Leonard Leo and his people like Steven Miller who runs

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this America First Legal Group which is doing some of this vetting of lawyers he's not going through the traditional

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Federalist Society Pipeline and so it's a very different mindset you know you won't hear any of these people say we

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need to break the law and that's not what they're saying but stretch push the envelope find creative ways to get what

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needs to be done done H it strikes me that so far everything we've been

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discussing is about clearing away guard rails at the higher levels of government

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the cabinet lawyers for the White House lawyers for various federal agencies but

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Jonathan you mentioned earlier that Trump is also really interested in getting rid of the people he described

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as the snakes right the kind of lower level government workers he thinks of as

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being the heart of the deep State who testified against him during his first impeachment so help us understand who

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exactly these snakes are and what the plans are for getting them out of

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Trump's way so just to kind of Zoom back a little bit the federal government the

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way I think about it is basically there's this rotating layer on top of about 4,000 political appointees that

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get replaced every time a new president comes in below that is this mass of 2 million plus career officials who have

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pretty good protections there are all of these procedures you have to go through in order to fire someone they have lots

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of rights as an employee of the federal government to object to appeal and

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that's by Design the design is a nonpartisan professionalized Workforce

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that does not change every time there's a new party in power but develops expertise over a number of years and

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these are the people who come up with rules to regulate stuff that's not sexy but you know clean drinking water our

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food you know all of this stuff like so anyway what's what's Trump's plan Trump his his idea it wasn't Trump's idea it

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was a guy named James Sherk but was how do we fire more people how do we get our own people in and he came up with this

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idea short-handed as schedule F but it's an executive order that Trump issued in

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October of 2020 in the first term yes it didn't get much attention at the time because it was October it was the very

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end and they didn't really have time to properly implement it but it would allow them to

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reassign they estimated 50,000 people who they determined were involved in

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some way in affecting policy and what this order would you allow to do is effectively turn them into Political

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appoin so you are now schedule F and so it would allow them to fire as many as

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50,000 and replace them with their own people now I want to Cave up this a little bit which is that in the view of

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some of Trump's closest advisers who really are steeped in this they don't believe that they will need to fire

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necessarily that many people and replace them they believe that the threat of the order will have a chilling effect and

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will force these people into line and will make them stop trying to slow walk

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or obstruct if you know that your head can be chopped off you might solute a little quicker is that legal Charlie is

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this possible what Jonathan's describing well so it hasn't been tested Biden immediately rescinded it when you came

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in and so so we don't know if we don't know but it'll be the Trump ified Supreme Court that ultimately decides

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whether or not a president can do this right this Supreme Court uh at least the six conservatives on it are part of a

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conservative legal movement that predates Trump that has been interested for a generation or more in centralizing

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Greater executive power over the government in the White House itself and a huge component of that is increasing

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the president's power to remove people that do not do exactly what he wants them to do so I think that this would be

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a good opportunity for them to put another brick on that wall so I think

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they would probably uphold it if Trump is successful in carrying out this kind of remaking of government Personnel at

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all the levels we've been talking about here what kind of policy changes that either he or those around him want

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would logically flow from that so one of our major early focuses on what the

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policy consequences could be was in the area of immigration obviously a core

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part of trumpism and while they did succeed in 2020 with the help of covid

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in shutting down the Border temporarily they were unable to really achieve their

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broader agenda in Immigration enforcement and so they have laid out

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and developed a road map for a really radical Crackdown on immigration at a

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scale that we have not seen in the modern era to escalate the number of deportations from several hundred

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thousand a year to Millions per year to militarize the border to use military

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funds to build gigantic camps along the border to hold all these people

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basically detention camps detention camps to try again to end Birthright

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citizenship for people born in the United States to undocumented parents to extend due process free removals of

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people who've been here less than two years and to essentially put the entire

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weight of the federal government around the single-minded task of purging the

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country of people who have do not have a legal right to be here I mean that sounds like basically the first terms

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already very aggressive approach to immigration basically on steroids and I wonder how the Personnel changes we're

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talking about might make that possible to accomplish so there were certain attempts to push through policies in the

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first term that raised legal concerns The General Counsel of the Department of

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homeand Security John mitnik who uh is a very conservative traditional Federal Society style Republican lawyer

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occasionally would say to the White House to Steven Miller Trump's top immigration adviser there's a legal

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problem with that and not having someone there who would say there's a legal problem with that would be a tremendous

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effort in terms of we're just doing it and you know we'll let it be fought out in the courts a Judiciary that is much

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more Trump oriented now than it was from much of the term that Trump had before

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due to his own appointments to the Supreme Court we think that we'll get it through and so just in the area of

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immigration and what it would mean domestically to have this kind of sort of police state Crackdown necessary to

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achieve the goals they have is one area in which they have very openly quite

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radical plans that they could very well achieve am I right to imagine that

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combined with what you just said Charlie would be the implementation perhaps of that change to the Civil Service rules

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that would have sent the message Jonathan like you said to lower ranking people perhaps in Homeland Security in

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the immigration world that maybe you just saw something get imped that you don't think is good or legal you're

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going to be a lot less likely to complain about it become a whistleblower whatever if you are suddenly worried

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that your own job status which had previously been pretty safe might now be on the line yeah I mean that's

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explicitly The View and it stands to reason that if you need your income to

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feed your family and to pay your mortgage and you could lose your job the threat of that would have an educational

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impact on the way that you do your job yeah politely said yeah yes yes okay how else based on your all reporting does

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Trump's orbit intend to knock down barriers in his way and ensure that

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there are those throughout government inclined to do his bidding we had some

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really interesting conversations with sources in Trump's orbit early on in this reporting and one of the concepts

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that emerged was this idea of scouring the federal government for any pocket of

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Independence any element within the executive branch that operated with any

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independence from the president the idea being we need to eradicate that because

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we believe that executive power exists in the human body of the president which is the sort of logical end point of

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something called the unitary executive theory in shorthand this is an idea that began in the Reagan Administration that

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is an interpretation of the con stitution whereby executive power is vested in the president of the United

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States and that it is illegal for there to be any impediments to that power

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within the executive branch where this matters is that the way the government actually works and

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has worked for the past Century there is not total unfettered control of the

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entire government vested in the president as a singular person Congress has created by law various pockets of

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some independent decision-making Authority they've said that the head of the EPA is the person who decides how

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much air pollution to let in the air not the president in the Oval Office stroking his chin and saying oh this

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much mercury is too much he doesn't know what to do Congress says we're going to have an expert do that or at least the person leading this expert agency and in

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some places Congress has gone beyond that and created agencies that it's empowered to do things whether it's the

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Federal Reserve setting interest rates Federal Trade Commission Federal Communications Commission regulating

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internet and phone companies where they are allowed to issue regulations but they it's run by a commission that

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although the President appoints these people he cannot remove them at will if they act differently than he wants them

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to do these are literally called independent agenes fall under the executive branch but they still retain

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they are exercising executive power the Supreme Court has said it is okay for congress as part of its constitutional

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authorities to structure the government in this way so that the president does not just sort of the dictator all that

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happens and how does Trump want to treat these indeed agencies Trump says on his website we are going to bring the in

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socalled independent agencies under executive Authority Under the president's Authority and that would

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mean trying to fire someone who has these job protections a member of an

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independent agency's commission for who does something Trump doesn't like and seeing if this new look Supreme Court

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that Trump has created will uphold what they're trying to do and if they can get five votes on the Supreme Court that's

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the end of executive Independence that's the end of independent agencies that means that going forward the president

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in this case Donald Trump for a while would exercise total control over these chunks of the government that for

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Generations have some degree of checks and balances on what the president can order by dictat what's an example of an

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agency independent agency that frustrated Trump in the first term and how that agency might be changed if he

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got this level of power so a really good example of that is the Fed Trump wanted

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them to lower interest rates was constantly using public commentary to try to influence what might happen they

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have not gone so far as to say what they would try to do about the FED uh if Trump comes back into office but that

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would be a great example of a so-called independent agency where Trump wanted to see something different this is just a

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good example Maggie brought up of how to think about it because if you are in office and you're running for reelection

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you want the economy to be Roar Ing and a good way to make the economy do better is to lower interest rates right unless

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inflation's really high well even if so it may not be in the long-term Health interests of the economy to lower

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interest rates just because there's going to be an election in four months but it may be in the short-term

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interests of whoever happens to be in the Oval Office and so we have Congress set up a structure in which the Federal

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Reserve is supposed to analyze the economy for with an eye towards the long-term economic health of the country

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and not the short term political interests of whoever happens to be in power that's why there's Independence

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there right but if it's unconstitutional to have any executive power that's independent of the president's control

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then that would by definition be something that the president could direct out of his or her own

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self-interest even if it wrecks the country in the long term right it feels like the repercussions of this would be

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pretty far-reaching I'm thinking about how much Donald Trump has always not just wanted to raise or lower interest

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rates but take away the licenses of TV networks that he disagrees with and that

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would fall and correct me if I'm wrong Charlie under the independent agency known as the Federal Communications

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Commission that's right not not necessarily that he disagrees with but that publish air journalism that

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criticizes him I mean do you think Jonathan that if a president Trump were to achieve this power and the courts would approve it that you could start

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seeing things like that happen well rather than speculate I just go back to what he's telling us he's going to do

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and multiple times he has said that Comcast you know owner of NC NBC he has

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very strongly signal that there will be repercussions if he gets back in and has

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again has said this out loud in public he hasn't been specific about what

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exactly those repercussions will be but you know I don't think it's a huge leap of imagination to think that Donald

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Trump might want to use the regulatory Powers available to him as president

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to punish entities that he's already promised to

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punish so what we're already talking about is a very meaningful reenvisioning

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and restructuring of Presidential Power that's correct Michael but there's one

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agency that looms larger in Trump's mind than any other in the government and that's the Department of

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Justice and it is an agency with which Donald Trump has a historically very fraught relationship

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we'll be right back so what is Trump's vision for the

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Department of Justice in a second term and how does it fit in with everything else that we have been talking about here I think the way to explain this in

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the simplest terms is that Donald Trump has never viewed the Department of Justice in the way that it has been

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viewed since the Watergate era firstly it isn't an independent agency it's it's an agency within the executive branch

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that has some degree of independence by Norm by Norm not by law the idea being

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that a president should not direct for example investigations or prosecutions of people those decisions should be made

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independently Trump doesn't view it that way firstly he wants the justice department for there to be no

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Independence and he's already said out loud that if he gets in again he will

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appoint quote unquote a real special prosecutor to go after that's a direct quote go after President Biden and his

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family so he's not making any secret about this he's telling us what he's going to do and uh he's got allies on

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the outside who are working on Frameworks to justify getting rid of the

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independence of the doj well What mechanisms exist for a potential president Trump and his allies to

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achieve what Jonathan's talking about Charlie to essentially begin to wipe away the Independence that was as you

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said by Norm by tradition rather than by law within the doj is it just going to

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be him showing up and appointing the right attorney general or do they have to justify it in other legal ways let me

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start to answer that by picking up on your word begin because I think it's important to note that this would not be

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something unique about a second Trump term but an intensification of what we saw in the

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first term so Trump did in fact pressure the justice department when he was in office to use the powers of federal

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criminal law enforcement to go after his enemies he pressured and succeeded in getting the justice department to open

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investigations into people like Jim Comey right like Hillary Clinton his

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enemies Democrats or members of the previous administration National Security State that he wanted to

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scapegoat for the fact that his campaign ties to Russia came under suspicion and

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they failed to find evidence sufficient to bring charges and that enraged him

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and so part of what the vision is here is even if you independent prosecutor

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you know don't want to go ask the grand jury to Indi so and so because you don't

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think you have a good case if I the president tell you to do it you will go do that anyway or you'll be removed

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right this is the sort of Direct Control I will appoint a real prosecutor who will do the thing that even the people

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who are quite loyal to me like Bill bar were unwilling to do or unable to do the last time and that's the sort of direct

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use of federal law enforcement power for political purposes that a justice

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department that is no longer seen even as a norm independent from direct White House control would be capable of so a

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successful version of this for Trump would not just be the opening of Investigations into his enemies which he

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already did as you just said Charlie in the first term but the ability to force

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charges to be broad against people whether or not sufficient evidence exists I mean what else could it mean I

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want to Pivot Maggie to the question of how a president Trump in the second term

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would handle one of the biggest issues facing him right now in The Campaign which is the charges against him it has

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been implied that he would like a Department of Justice to stop pursuing those charges so Trump advisers have

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said to me privately very bluntly that he has to win and that if he wins this all goes away and how's that going to

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work well it would either be that he would tell his AG or his AG would do it on their own to drop the cases you know

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it depends on what stage those are at and whether a judge would agree then there's the theory of whether he would try to Pardon himself and he has

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privately said to people that the cases will go away so I don't think this is a stretch of the imagination this is how

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he's looking at it but it does give him an impetus for trying to win an election I mean Char is it as easy as it looks

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from a distance for the president to ask what we imagine to be a loyal attorney general and those loyal deputies is it

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easy to imagine him achieving this very quickly yes with the Nuance that there's different kinds of cases here there's

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federal and state so absolutely the federal cases against him would stop the

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minute he becomes president it wouldn't even necessarily take some radical new act by a radical new attorney general

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the long-standing justice department interpretation of the Constitution going back to Nixon going back to Clinton is

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that sitting presidents are temporarily immune from legal process because it would interfere with their

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constitutional responsibilities so those cases stop while he's in office when we put all

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these plans that we've been talking about here together and when we put together all your reporting I think it's

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safe to say that we're looking at a greater pursuit of Presidential Power

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and intolerance for descent within the executive branch than we've seen in quite some time and so much of the

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conversation around Trump and the idea of a second term is whether

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it would undermine our democratic system or our values and I want to just hit on

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that directly is something like the consolidation of power we're talking

32:40

about here using for example the unitary executive theory is that just a

32:46

realization of a longstanding conservative principle that the President should be more powerful or is

32:53

it a kind of assault on our existing understand understanding of our

32:59

Democratic Norms how should we be thinking about that I think this is a a

33:04

crucial point for putting this all into perspective that this is not just about Trump in the current moment you know I'm

33:10

my entire career has been about writing about executive power I wrote a book about the bush Cheney administration's

33:17

efforts to expand executive power the subtitle of which which I hate because the book publisher and posted on me but

33:22

was the return of the imperial presidency and the subversion of American democracy and so you know

33:28

something about this right so the Republican conservative movement has

33:34

been trying to expand its executive power ever since Nixon collapsed in the

33:39

Watergate in Vietnam era and then Reagan was trying to restore things in the face of a democratic Congress in the 80s and

33:46

these ideas like the unitary executive Theory start to arise trying to get back to where Nixon was before he fell to

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achieve conservative policy outcomes even if liberals controlled Congress or in that era the courts and so this

33:59

unilateralism has a deep pedigree building blocks have been put in place long before Trump arrives on the scene

34:06

that he is now able to take advantage of and take to the next level but he's building on a series of presidents that

34:12

have taken things to the next level from their predecessors it's too much to say it's the end of democracy per se it's

34:19

American style democracy and American style democracy is not just you vote for someone and then that person can do

34:26

whatever they want it's a series of checks and balances it's the prevention of too much accumulated concentrated

34:33

unfettered power in any one person is separation of powers we are suspicious

34:39

of concentrated power right so we have set up a system in which power is diffused and yes you need a strong

34:45

presidency but within limits limits that are not just about the rule of law but about some degree of decision- making

34:52

checks so that one person cannot just arbitrarily and capriciously careine the country in this direction or that

34:57

Direction but it has to operate within a system and what the conservative legal movement has set Trump up to do and what

35:04

he now wants to do or the people around him are saying sir we can help you do is to move into a more volatile situation

35:12

where whoever happens to be president at any given time can take us in a radical Direction very quickly we're out of NATO

35:18

because I decided we're out of NATO these precedents that have been assembled over the past generation or two have set Trump up to take things to

35:25

the next level in a way that Americans style democracy as we have come to know it would evolve into something much more

35:33

volatile well America style democracy is the style of democracy that we're accustomed to Jonathan so I just ask you

35:40

the same question does this fully realized or even mostly realized vision

35:45

of a second term make American style democracy less

35:51

real and therefore is the country less Democratic is this more authoritarian

35:56

would you listen to to Donald Trump talk about the kinds of leaders that he admires he doesn't mention the

36:03

chancellor of Germany or the president of France he mentions Victor Orban in

36:09

Hungary he mentions how he wishes his people would stand to attention the way they do to Kim Jong-un he talks about Xi

36:17

Jinping and how he can with the click of a finger execute drug dealers and he

36:22

talks about how they can get things moving quicker so his own views are that

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the President should be able to move really quickly unilaterally and get things done and so the answer is yes of

36:35

course but I don't think Donald Trump ever was attached to or believed in the

36:40

principles that Charlie outlined there's no history in his life of caring about checks and balances and separation of

36:48

power I've never heard him once talk about how these are important elements of the American system the part that

36:54

throws me a little bit because here you are invoking this IDE idea that he is drawn to authoritarian figures and

37:01

clearly we've established a desire for a more empowered presidency is that everything we've talked about so far and

37:08

please correct me if I'm wrong appears that it was kind of always there for the taking if a president wanted it they

37:14

could imagine that civil servants were firable they could attempt to bring independent agencies closer to them they

37:21

could definitely appoint as loyal as imaginable a cabinet and so all of those

37:26

changes would seem to operate within the democracy and yet they might still in a sense curtail what we see as the

37:34

American style democracy which is complicated when Trump was elected a democratic strategist said to me that

37:40

the nation was about to find out how much of our system is norms and not laws which is your point that this is an

37:46

honor System this has always been an honor System there are people to Charlie's point who have tried to

37:52

increasingly press their advantage in terms of executive power but who have never taken

37:58

the kind of leaps that Trump took and wants to take if he comes back into office but it is to Jonathan's point

38:05

it's not that Trump has some systemic belief in democracy it's not that Trump has a particular interest in how the

38:10

federal government works or doesn't work he has an interest in what can Donald Trump do and that's it and so he has

38:17

been given a bunch of rationals by lawyers or policy advisers who are close to him about how far he can take things

38:24

and if he is elected he has promised that he will do that mhm I mean there are two other branches of government

38:30

that could exert themselves in relationship to everything we're talking about here one we've already established

38:35

the Supreme Court and the Judiciary are now heavily populated by Trump appointees and I know many imagine that

38:42

they will be more pliant than perhaps a different court so I guess I really would like to focus on the idea of

38:48

Congress and the legislative branch if we get this version of a trump Administration kind of trump

38:54

2.0 how do we imagine Congress obviously this is determined by which party

39:01

controls it could hold some of this in check seems like it would be a very natural instinct for a democratic

39:07

Congress subpoenas could start flying members of this new Administration would be dragged before to explain why are you

39:14

firing civil servants why are you treating independent agencies this way why are you doing this at the Department

39:20

of Justice that would operate as a check correct yeah not necess because I

39:27

think one thing that's really important to bear in mind is Joe Biden's been president for the last 3 years and for

39:33

the first period of his presidency Democrats controlled the house and the Senate now they didn't have super

39:40

majority so they couldn't get everything that they wanted done but they saw the experience of trump you know Trump could

39:46

presumably come back into Power could we pass legislation to constrain him no such legislation was passed and under

39:54

Trump okay yes if there's a democr house that's going to stop some things and

40:00

there'll be much more oversight and and scrutiny but the composition of the Republican party in Congress is

40:06

different than it was in 2017 Trump when he left office made it his mission to

40:14

drive out of the party disloyal people so the composition has changed substantially you're not going to see as

40:20

much push back not that there was a huge amount in his first term but you're going to see even less well you're

40:25

saying basically The Purge he wants to see in the executive branch has already happened in the legislative branch in Congress partly through who he endorsed

40:31

or tried to push out and so that as a barrier has been I mean that was a

40:37

really important part of our reporting is that that erosion of restraint on the hill uh has been a really important

40:43

factor that creates these conditions and so the only way You' get serious checking and balancing from a

40:49

legislative branch is if Democrats controlled one or both Chambers which is not a certainty even that is too

40:55

optimistic I think in that the second half of Trump's term Democrats had the

41:00

house and they tried to perform oversight and issued subpoenas and he

41:06

didn't comply with any of them he just stonewalled them and then now what happens well there's a long drawn out

41:12

Court battle before a Judiciary that was unwilling to move fast enough to do anything about it and so there was styed

41:20

oversight and then another factor that both Mitt Romney and Liz Cheney have talked about is during the second

41:27

impeachment they each independently claimed there were a number of their Republican colleagues on the hill who wanted to vote to convict Trump who were

41:35

afraid to do so not because of their political career so much as their own physical safety and that of their family

41:43

that the Spectre of mob violence that Trump is able to summon as made manifest

41:49

on January 6 is also a disciplining Force within the Trump ified Republican

41:54

party MH I think we can't end this conversation without trying to understand how Central what we're

42:00

talking about in this room is to Trump's political appeal right now I know he doesn't go out and give a speech where

42:06

he talks necessarily you know Applause lines about civil servants but there is

42:11

a vision of government that we're talking about here that I imagine does translate to his supporters and how big

42:16

an element is this of his appeal I think when you look at polling and you look at

42:22

the way that people talk in focus groups and also that the way that the Trump advisers view things and I think the way

42:27

he views things it's not really so much his vision for government it's strong

42:32

versus weak everything he does his visual messaging his rhetorical

42:38

messaging is about projecting strength and I think to that extent there's

42:44

tremendous appeal in the idea of a strong man it's not just like Democrats

42:50

have bad policies it's they're trying to destroy the country and they need to be defeated you hear this sort of trope

42:57

from Old Line establishment Republicans I like Trump's policy but I don't like his personality there's this new kind of

43:04

theory on the new right which is like no Trump's personality is actually essential he's the guy we need for this

43:11

battle we're in and actually we shouldn't be trying to limit the federal government and reduce its size cuz what

43:19

suckers we are if we do that no we need to seize power and use the instruments

43:24

of power to defeat our ad [Music]

43:31

adversaries it actually fits quite neatly with what we've been talking about today because what is strong but

43:38

you know blowing through any obstacle or barrier or impediment to you doing what

43:44

you want to do yeah or person that is the embodiment of strength

43:53

[Music]

43:58

well to all three of you Maggie Charlie Jonathan thank you very much thank you

44:04

Michael thanks mate thank [Music]

44:19

you we'll be right back

44:27

here's what else you need to know day over the weekend more than 200

44:33

protesters were arrested at college campuses across the country as administrators and police sought to

44:39

reign in Pro Palestinian demonstrations and encampments the arrests occurred at

44:46

Northeastern University Arizona State University Indiana University and

44:51

Washington University in St Louis in each case officials said that the protesters had violated campus rules

44:58

defied orders to disperse or become dangerously

45:04

anti-semitic overall police have arrested more than 800 protesters on college campuses since April 18th when

45:12

Columbia University asked police to remove a pro Palestinian encampment at

45:17

the center of Campus student protesters have since rebuilt that encampment and Colombia has

45:25

said it will not ask police to clear

45:31

[Music]

45:39

it today's episode was produced by Rob zipco and Carlos PRI it was edited by

45:45

Rachel quer with help from Paige cowt and Ben Calhoun it contains original

45:51

music by Dan Powell Alicia butu and Diane Wong and was engineered by Rowan

45:57

misto and Chris Wood our theme music is by Jim brunberg and Ben lansberg of

46:02

wonderly special thanks to a Shapiro and Maddie

46:11

masello that's it for the daily I'm Michael Boro see you tomorrow

46:19

[Music]