

Trump 2.0: Here Comes the Night

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In the summer of 2015, Steve Bannon watched Donald Trump descend the Trump Tower escalator. He exclaimed: “That’s Hitler!” He meant it, of course, as a compliment.



Bannon would go on to become campaign CEO and a White House staffer, and Trump went on to win his first presidency. He didn’t get to *do* full Hitler. He did spend four years smashing norms, insulting women, finding “fine people on both sides” of a Nazi march, committing treason (or at least trying to), operating an open-air kleptocracy, mishandling and lying about a pandemic, inciting a coup, surviving two impeachments, and then grabbing dozens of classified documents on his way out the door.

Now, a majority of the American electorate—over 70 million voters—has handed supreme power back to this supremely unqualified, disrespectful, convicted fraudster and sexual abuser who likely avoided prison time for conviction in the Stormy Daniels hush money case. And now, his power to fulfill Bannon’s prophecy is even greater than it was during his first term, thanks to a timorous Republican Party and a Supreme Court that has granted him nearly monarchical immunity.

We are headed into uncharted territory as a people and a nation. Trump and his allies have promised to initiate their radical right-wing agenda the minute after he takes his hand off the Bible on Inauguration Day. We are about to experience an unprecedented assault on the Constitution and our civil liberties related to speech and assembly, and an abandonment of norms related to the military, the Justice Department, and government contracting that will make the first term look, well, normal.

The worst-case scenarios are disturbing, to put it mildly. Will Americans watch behind closed curtains as men in military garb, maybe without identification, hustle their neighbors away? Will we hear of—but never see—the concentration camps, deep in the barren Western deserts, surrounded by razor wire?

The worst-case scenarios are disturbing, to put it mildly. Whose side will the military take, Trump’s or the people’s? Will America come to resemble Argentina in the 1970s and 1980s, the “enemy within” rounded up and held without charges? Will women be stopped at state borders and hormone tested for pregnancies? Will Americans watch behind closed curtains

as men in military garb, maybe without identification, hustle their neighbors away? Will we hear of—but never see—the concentration camps, deep in the barren Western deserts, surrounded by razor wire?

For this article, I spoke with former government officials; experts in American law, politics, and national security; and civil society NGOs and activists to get consensus on what to expect, and when and how, and what a resistance movement might look like. The consensus was bleak, but many saw a silver lining—a new coalition of Americans from many points on the political spectrum fighting back against autocracy, newly engaged and energized to create a stronger, more vigorous democracy.

Civil Servants, Migrants, and the “Enemy Within”

Many people believe Trump 2.0 will begin with some orders delivered and carried out at lightning speed. Shock and awe. California Representative Jared Huffman, co-founder of the House Democrats’ [Stop Project 2025 Task Force](#), expects action within minutes of Trump taking the oath of office. “This is not a drill,” Huffman said. “We haven’t been talking about Project 2025 just for campaign fodder. It is truly a wrecking ball aimed at our democracy and our individual rights. I think speed is part of their agenda.”

There are lots of guesses about the order of business on day one, but most agree that Trump will sign orders that include all or some combination of the following:

- Reinstigate Schedule F, a job reclassification Trump lackeys put in place at the tail end of his administration to strip federal employees of job protections, and which President Joe Biden rescinded. Maybe for on-brand cruel entertainment, he will announce he’s firing a large number of such employees as well.
- Pardon all federally charged and convicted [January 6 rioters](#), effectively putting a paramilitary organization on the streets, answerable to Trump.
- Undo Biden’s climate change [protections](#), and instantly reopen federal lands for resource extraction.

In the following hours, days, or weeks, the administration will likely activate some form of Trump’s MAGA-pleasing deportation threat. The logistics of rounding up the millions of “newcomers” who are “poisoning the blood” of America and moving them are still unclear. A sudden nationwide roundup—a mass kidnapping—would immediately normalize extreme use of police powers and a domesticated military unlike any in the history of the country. “There is no doubt that they believe that is the most popular part of their agenda,” said Huffman. “They’re going to just rip that Band-Aid off right away. It’ll be an early test of whether all of us understand that this is the first of many steps to take away our democracy. Maybe a lot of people will look the other way. And so, you know, when they come around for the national abortion ban, or for rolling back civil rights, voting rights, you know, gutting other institutions, they’re well on their way.”

Whether by shock and awe or by frog-boiling, there is no doubt Trump will enact the major Project 2025 priorities.

And the first of those is Schedule F.

The first Trump administration was built around a long-standing Republican goal: to shrink “big gummint,” as George W. Bush sometimes slurred it. In the first term, this goal was sold to the public as revolutionary, in the words of Steve Bannon: *deconstruction of the administrative state*.

Project 2025 carries vestiges of that ideology. It calls for dismantling the Department of Education. But in other ways, Trump 2.0 will do the exact opposite of smashing the administrative state. It will expand and weaponize it. Under current law, the president gets more than 4,000 political appointees, and their employment ends when the president leaves office. Schedule F allows the president tens of thousands of political appointments, a mass right-wing burrowing into the “deep state.”

National Federation of Federal Employees executive director Steve Lenkart said hundreds of civil servants already know they are going to be fired and put the potential number at 100,000. “It is going to turn into something we have never seen before,” Lenkart said. “It’s hard for people to imagine something getting so bad. I think there’s a little bit of denial for that reason.”

Anti-Trump conservative Bill Kristol is among the Washington insiders not in denial. He participated in a tabletop exercise earlier this year with dozens of lawyers, judges, and elected officials, gaming out what an unleashed, autocratic president could do. Kristol was on the “red,” MAGA/Trump team. They enacted Trump’s desired Schedule F changes right away. “People who were there playing Congress, and Democratic groups, unions, said, well, we’re not going to let you do that,” he recalled. “We’re going to fight you in the courts. Meanwhile, you’re busy intimidating huge numbers of civil servants, firing some, and you don’t have to fire that many. You don’t have to fire all of them. You just have to intimidate all of them, right?”

The plan is already in place: Right-wing operatives associated with the Heritage Foundation and Project 2025 have reportedly assembled a list of thousands of MAGAs who filled out a purity test questionnaire. (Agree or disagree? “The police in America are systemically racist?” “Life has a right to legal protection from conception to natural death.”) Those people will be brought in to replace career civil servants and presumably will be willing to follow orders and break norms and laws for Trump 2.0. For example: a vetted DOJ lawyer or IRS officer who will be willing to open any investigations ordered by the president.

Next up, migrants. Trump sold himself in both his campaigns by blaming migrants—people who are desperate to wash dishes in the middle of the night or bike through New York City’s rainy streets delivering meals to the wealthy—for the problems of white America. He has

promised to deport 11 million, and sometimes millions more depending on the day.

No one seems to understand how this mass expulsion would work logistically. Trump has mentioned the military. His in-house xenophobe Stephen Miller has promised to erect way stations in the form of massive detention camps. Immigration lawyers and activists who successfully challenged the Muslim ban in Trump's first term have been studying how the plan for mass deportation would work. Most probably, federal agencies assigned to the task will contract with local jails and prisons to house those taken in. Challenging that activity in the states is one way activists and lawyers plan to try to slow the process down.

Steve Bannon (left) will be President Trump's leading outside agitator, even as he is set to go on trial December 9 for his alleged border wall scam; Stephen Miller will become Trump's deputy chief of staff for policy.

From Left: David Dee Delgado/Stringer/Getty; Tom Williams/CQ-Roll Call Inc./Getty

But even if limited human resources and a lack of infrastructure prevent the mass roundups Trump has been promising, a few harsh crackdowns and Immigration and Customs Enforcement kidnappings of family members will be effective, inspiring panic and fear in marginalized communities. "Nobody has painted a picture of a pathway to effective deportation of 12 million people who live here without documentation, but they can terrorize a lot of communities without doing the whole kit and caboodle," said Mike Zamore, national director of policy and government affairs at the American Civil Liberties Union. "What we are concerned with is not that he gives MAGA rallygoers exactly what he promised, but that he starts in that direction by busting up families and taking people critical to employers and families and puts them out in the middle of the New Mexico desert where no journalist can find them."

After that: Besides scapegoating migrants, Trump built his political brand threatening to jail his political opponents. In his first campaign, on at least three occasions he threatened to prosecute Barack Obama, and of course Hillary Clinton. The "Lock Her Up" chant premiered at the 2016 Republican convention in Cleveland. In those early days, the threats still shocked us, but over time, they barely blipped into the news. During this second campaign, Trump turned up the volume on the threats, expanding them to potentially thousands of lawyers, political opponents, elections officials.

Trump has claimed he will back up his threats by siccing a domesticated military on the enemy within: "It should be very easily handled by, if necessary, by the National Guard, or, if really necessary, by the military, because they can't let that happen."

In Trump's first term, researchers at the NYU Law School-based group Just Security clocked a dozen times Trump tried to prosecute his enemies. And at least four of his targets—Clinton, John Kerry, James Comey, and Andrew McCabe—were in fact investigated. This fall, *The New York Times Magazine* interviewed over 50 former officials on the subject of

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No one knows exactly how this might play out in Trump 2.0. Execute former Joint Chiefs of Staff Chairman Mark Milley for treason? Jail women who object to the state abortion bans? Put Liz Cheney on trial before a war tribunal? Trump has suggested all of that is on the table and more.

“Look at what [retired Army Lt. Gen.] Mike Flynn and others are saying right now,” said Representative Huffman. “You’ve got these Trump vigilantes out there. There’s one guy that runs around the Capitol calling himself the secretary of retribution. People like that are going to be empowered and tolerated if not activated.”

If Trump wins, Flynn recently promised the crowd at a gun festival in Pennsylvania, “Katie, bar the door. Believe me, the gates of hell—my hell—will be unleashed.” Flynn shared billing at the Rod of Iron Freedom Festival with Ivan Raiklin, a bald, batshit right-wing agitator who is the aforementioned future “secretary of retribution.”

The list of people on Trump’s known retribution list is long. He has said he plans to throw special counsel Jack Smith in jail. He wants to prosecute Manhattan D.A. Alvin Bragg, who brought the hush money case in which he was convicted. He wants to “look at” New York Attorney General Letitia James and Judge Arthur Engoron, who presided over the fraud case for which he was fined hundreds of millions of dollars. He has said he will appoint a prosecutor to go after Biden and his family. He has accused Liz Cheney and Adam Schiff of “treason.” He has suggested he might again try to investigate Hillary Clinton. He has suggested all members of the House J6 committee be “indicted.” He has threatened to yank the licenses of CBS and ABC.

Exacting this kind of vengeance would require Trump to use the Justice Department as his personal revenge law firm. You might hope that’s illegal. But the mechanism preventing that kind of collusion between a president and the DOJ is just a norm, not a law. “If a president were to decide that he wanted to direct the Department of Justice to go after a particular political adversary, he would largely do that through the White House Counsel’s Office,” Neil Eggleston, an Obama White House counsel, told Politico recently. He predicted that, under Trump 2.0, one thing to go would be the “no contacts policy” between the White House and DOJ.

Even before the election, media watchdogs were concerned that a second Trump win would have a chilling effect on the media. Major American newspapers, led by *The Washington Post*, backed off plans to endorse Harris. The spectacle of Jeff Bezos, the richest man in the world, performing preemptive obeisance before the incoming strongman was a clear sign of where much of the Fourth Estate was headed.

Whistleblowers and truth-tellers will also be cowed. Matt Gertz is a senior fellow at Media Matters for America, a nonprofit progressive media watchdog outfit. He said Trump learned in his first presidency that denigrating individual reporters provoked supporters to menace those journalists, either online or in person. Several Trumpers were brought up on federal criminal charges for threatening journalists or their employers. “I think we could definitely see a recurrence of that sort of individual-level terrorist campaign targeted at individual reporters by Trumpists who believe him when he says that journalists are enemies of the people,” Gertz said. “I think that we are looking at a real and credible threat of Donald Trump and the Republican Party more broadly taking as their example the autocratic government of Viktor Orban.”

In Hungary, Orbanists have tried to use state power to force critical news outlets out of the hands of people who want to use them for real journalism and into the hands of regime allies. Trump has already tested this tactic. In his first term, he had his Justice Department hold up a CNN parent company merger. At one point, he took revenge on *The Washington Post's* owner when he slow-walked a Pentagon contract with Amazon web services and jacked up the rates Amazon was paying the U.S. Postal Service.

“The thing that Donald Trump understands about this is that these news outlets have corporate ownership structures,” Gertz said. “He understands that the people in charge of the parent companies are responsible to shareholders who might not actually care that much about what are fundamentally small portions of their broad portfolio,” i.e., the news outlets.

There are of course media concerns that thrive under Trump. Fox News is one. Gertz is among the dedicated few who studied Fox during the first term. He clocked numerous examples of Trump taking up issues mentioned on Fox, or even demanding investigations of people who were targeted by Fox. “Hundreds and hundreds of his unhinged tweets came as a direct response to what he was seeing on Fox News,” Gertz said. “They pick his targets. They guide his worldview.” Gertz added: “We can expect people like Sean Hannity to be functioning as the attorney general of the United States, finding enemies that need federal prosecution.”

Hannity may not be in the running, but it almost goes without saying that the names floating around for AG do not portend business as usual in Washington. They include Jeffrey Clark, who pleaded not guilty after being indicted in Georgia for involvement in efforts to overturn the 2020 election, and who is currently fighting his disbarment in Washington. The most insane possibility (and therefore, with Trump, quite likely) for an attorney general nominee:

Florida Judge Aileen Cannon, the relatively inexperienced, MAGA-friendly tool who crushed the purloined classified documents case against Trump. “As a useful match to the Justice Department deck-stacking, Trump will surround himself with the worst of the worst—from Gen. Flynn to Stephen Miller—to make sure that he gets the kind of advice and counsel he wants to hear,” Larry Sabato, director of the University of Virginia’s Center for Politics, predicted. “No establishment types this go-round. No restraints on his worst instincts. Trump will be careful not to put them in Senate-confirmable posts, just in case there are a few GOP U.S. senators who’ll decide to say ‘no’ on occasion.”

Who’s Going to Stop It?

No powerful white hats are in view on the horizon, riding in to save the day. The white shoe law firms and moderate leaders of the private sector who once could be counted on to assist appear ready to sit this out and let their clients gobble up their tax cuts and regulatory favors. Big business most definitely won’t jump in, greenwashing and diversity, equity, and inclusion programs notwithstanding. Venture capitalists and bankers and CEOs will stand back and stand by. “There is some consideration about who to engage and make allies of in the private sector,” said Zamore of the ACLU. “From [executive director] Anthony Romero on down, we have close relationships with some business leaders. My feeling is they are good allies to have, but they are unreliable allies, and we are not banking on that.”

Representative Huffman agreed. “Corporate America is going to go along with this because Trump will buy them off,” he said. “He’s going to cut their taxes. And he’s going to do crony capitalism deals. That’s why he wants to have complete control over the [Federal Communications Commission] and the [Federal Trade Commission]. He will be able to direct which corporate mergers occur, which enforcement actions happen or don’t. Anyone who thinks that venture capitalists or the business community will somehow be the conscience of America to save the day, I mean, that’s definitely not going to happen.”

Democratic Representative Jared Huffman, co-chair of the House Democrats Project 2025 Task Force: “You’ve got these Trump vigilantes out there. There’s one guy that runs around the Capitol calling himself the secretary of retribution.”

Tom Williams/CQ-Roll Call Inc./Getty

Former Republican Reed Galen, a founder of the anti-MAGA Lincoln Project, concurred. “The banks will all get in line,” he said. “As I understand it from someone who was close to one of the big bank CEOs who had thought about doing something more vocal, they were told by their board, you know, we’re a regulated entity in a regulated business. And that’s the last thing in the world we want to be, this guy’s target.”

That leaves the protection of American democracy up to nongovernmental organizations and their lawyers, the federal and maybe state judiciaries, blue state governors, attorneys general and legislators, and citizen activists.

One wall will probably be erected by the attorneys general in blue states. The Democratic Attorneys General Association, or DAGA, consists of 24 state AGs. As an organization, they have been working to put plans in place ahead of a Trump presidency. “It’s really important that we have these badass lawyers that are just looking in a calculated way at how to protect democracy from the state level,” said Zamore.

Trump has already threatened to withhold natural disaster money from blue states, and he will likely try using needed funds to leverage them into enforcing or not objecting to his immigration roundups and doing his bidding in other ways. As president, he can cut off federal transportation and emergency response money. His lawyers will likely lean on the unitary executive theory to support that activity, and the pro-Trump Supreme Court might well uphold it. “States can try to go it alone and do their part, but a second Trump administration will make that untenable,” Zamore said. “That’s what’s so scary about this agenda. They’ve really thought through all the different moves you make to tear down democracy and install a dictator. There’s no other way to say it.”

In May and June, the Brennan Center for Justice at the NYU School of Law invited 250 participants to take part in five tabletop exercises aimed at gaming out how a Trump presidency might use existing weaknesses in the American legal and constitutional system to implant an autocratic regime.

The results were disheartening at best, and at worst, frightening. The exercises demonstrated repeatedly that an authoritarian in control of the executive branch with little concern for legal limits holds a structural advantage over any lawful effort to restrain him. “None of the exercises left us sanguine,” the organizer, Bart Gellman, later reported. “Participants were almost uniformly sobered by the paucity of effective constraints on abuse of power.”

But Gellman and others did see some glimmers of hope. “There are opportunities to sort of delay, deflect, diminish the damage, move to a different forum, and there are opportunities to enlist public support for the kind of country we have always been, which is not a country subject to a dictator.”

First of all, there may not be enough MAGA-approved applicants who can pass civil service security checks or nomination hearings to fill all the vacancies. “I just don’t know that he’s going to be able to get thousands of Stephen Millers,” Gellman said. “And friends of the rule of law, friends of democracy are going to have to look for alliances where they can find them with people who see a bright red line and are asked to cross it and don’t feel so good about it.”

Even with the Supreme Court Six at the top, lower federal courts can still hold the line. “Trump certainly has sway, tremendous influence, and a fear factor,” said Stuart Gerson, a Republican who worked in the first Bush administration and co-founder of the anti-Trump

conservative group Society for the Rule of Law. “But the people he supports don’t necessarily get elected, and judges who he nominates don’t necessarily rule in his favor. His batting average is pretty poor among his own nominees. These are all the moving parts, and why I doubt that you can do everything, even if Stephen Miller gets appointed secretary of something or another. You can only do so much.”

Dozens of civil society organizations and hundreds if not thousands of lawyers across the country have prepped for the eventuality of a Trump presidency and are ready to go into court with writs and demands for injunctions, tossing sand in the gears of the Project 2025 machine at every possible turn.

Not everyone expects shock and awe. Georgetown Law professor and former Defense Department official Rosa Brooks thinks that, while Trump might want to do the bull-in-a-china-shop approach right away, his smarter advisers could try a slow rollout to avoid provoking a backlash. “The smart thing to do is carry it out in dribs and drabs,” Brooks said. “Detain and deport 150,000 migrants, not 15 million. And you don’t fire the whole Department of Education at once. You yank security clearances, relocate people who disagree with you to a branch office in Juneau. You have intrusive audits and frivolous criminal investigations of the 10 nonprofits most annoying to you.”

Eventually this harassment creates a self-censoring and chilling effect, she said: “Everybody looks around saying ‘I’m next.’ I am going to go bankrupt; I will have to spend all my time with lawyers. So you decide, I will keep my head down. You get to the same place in the end. Shock and awe generates much more backlash. American people won’t like troops in the streets. If they engage in persecution little by little ... that scares me more” than the grand fascist gesture.

Norm Eisen, senior fellow in governance studies at the Brookings Institution, believes the government is too big to completely cave. “I think that if Trump is president, I believe that conventional wisdom is true that he will try to surround himself this time with loyalists who anticipate and obey his whims,” Eisen said. “But every president is frustrated by the response, or lack thereof, of the government apparatus and bureaucracy. And I personally doubt that there are enough people to fill the thousands and thousands of politically appointed government jobs who are willing to break the law for Trump. Still less the next-level civil service jobs that he wants to make political.”

Eisen also said he’s got faith in judges and courts, citing legal challenges in the first Trump administration, including two court cases against Trump, involving his D.C. hotel income, over potential violations of the Emolument Clause, which forbids federal officials from taking foreign gifts. Trump ran out the clock on that, when the Supreme Court mooted lower court decisions allowing the cases to proceed, since Trump was out of office. By the way, the hotel is now a Waldorf-Astoria and no longer Trump’s, so at least he can’t execute that little bit of graft.

Eisen predicts Trump's impunity—leveraging renewed political ascendance with a crypto company for personal gain, for example—will create a “toxic cocktail” that will draw immense legal action: “He’s doubling down, so you can expect the legal pushback to double down.”

The ACLU is among the NGOs that have spent months preparing for a Trump 2.0. Its playbook is detailed “down to the hour after the victory is announced” and includes the transition period and the administration’s first 100 days, Zamore said. Broadly, the four-part plan involves litigation; preparing an oversight agenda for the House, assuming it goes blue; partnering with blue states and cities that have pro-civil rights political leaders; and mobilizing and organizing for mass actions. One node of resistance is a unified defense by blue states. “If one governor takes a stand, it’s worth something. But if 10 stand together, it’s really powerful,” Zamore said.

Journalist and activist Anne-Christine D’Adesky, a founder of the nonprofit Stop the Coup 2025, has been working with a broad coalition of activists and researchers trying to educate citizens about and prepare them for the Trump agenda and show these employers, teachers, activists, students, and others how to protect themselves and their communities. She takes an optimistic long view. “It’s simple enough to follow Project 2025 to know how it can unfold, combined with what is needed to secure power à la Orban,” she said. “What isn’t in the script is the opposition to crackdown. That’s the interesting part. AIDS politicized a generation and gave us ACT UP. Trump 2.0 could do much more.” D’Adesky predicted street and other protest actions would ultimately prevail: “Whenever you have a clear enemy, everyone unites.”

But street protests could be exactly what Trump needs to call for emergency military action. “The American people don’t like anything that looks like bad behavior,” said Rosa Brooks. “The natural impulse on the left is to get out on the streets. But with agents provocateurs, it will be very easy to have them spun as riots. The courts have ruled that if the executive says it’s an emergency, it’s an emergency. If you have an administration that doesn’t care about norms of law and is willing to break the law, it becomes very dangerous very quickly.”

Violence is the defining undercurrent of Trump and MAGA. And as we know, Trump has suggested he may use the military to crack heads in a second term. Fortunately, the military is limited from involvement in domestic affairs. But there’s a work-around: a law dating to the early nineteenth century, called the Insurrection Act, that allows the president to deploy the military to assist with domestic law enforcement. It has been invoked numerous times in U.S. history—by Abraham Lincoln during the Civil War, by presidents on behalf of employers in labor disputes, and by Dwight Eisenhower and John Kennedy to desegregate schools in the South. It was last invoked in 1992, when the state of California asked for help during the Rodney King riots in Los Angeles.

Anthony Romero, executive director of the ACLU, told *The New York Times* this summer that the nonprofit expects Trump to be drawn to the authoritarian “theatrics” of dispatching troops into Democratic cities, which he and Fox have smeared as hotbeds of criminal activity for years. The rationale will always be chaos incited by the left. “We are in the process of the second American revolution, which will remain bloodless, if the left allows it to be,” Heritage Foundation president Kevin Roberts said during the campaign.

“I think there’s every reason to believe the Insurrection Act will be invoked early on,” Representative Huffman said. “It’ll be used to stop protests. It may be used to weaponize the Department of Justice against political opponents.”

Stuart Gerson said the Insurrection Act is so vague that anything is possible. “Would a nationalized military operation respond to illegal orders?” Gerson wondered. “It’s easy to envision really horrible things occurring. We have a history, a very unfortunate history of attempts to round up immigrants and deport them.”

James Goodwin of the D.C.-based nonprofit Center for Progressive Reform has been working with Congress and networking with other nonprofits. Since Project 2025 was released late last year, other progressive organizations have had time to look for potential plaintiffs and gather resources to pay for litigation. “If there is a silver lining, people are learning what the administrative state is and does,” Goodwin said. “Because of it, planes land safely, drinking water is safe.”

D’Adesky also sees a silver lining: “We will see more and more engagement by Americans in the defense of our system, which will give us a stronger system. I anticipate a lot of fresh protest. Point is, autocracy is never only bad, as there is a counterresponse. Yin-yang.”

Maybe so, in the long run. But it’s the short run that rightly has a lot of people eyeing Saskatchewan real estate. For his part, Representative Huffman believes that, in the short term, “we’re screwed.” But when that reality sinks in, he thinks the American people will, perhaps, wake up. “I think the only thing that saves us is a mass shift in public opinion in favor of democracy and checks and balances. I hope the American people are up for that. We are going to have to decide whether we’re a democracy or not. And then fight back.”