

Power of the Presidency¹
If there is an opinion, facts will be found to support it.²

It is the opinion of many political experts that the next presidential election and its results will be unprecedented. They cite these reasons: The continuous contesting of election integrity by a large segment of the citizenry. Possible criminal convictions and ongoing lawsuits against an aspiring or sitting US President. Statements by Donald Trump that he would not uphold several existing American institutions or alliances, but to eradicate them or reconstitute their missions and operations. For the first time in recent memory, three branches of government aligned along the same political/ideological lines. The fragmentation and alienation of the political leaders in Washington from one another. Increased gerrymandering and safe-haven voting districts, leading to political gridlock.

Many citizens, depending on their political persuasions, are either greatly optimistic or doomsday-like pessimistic about the possibility of Trump winning a second term in the White House. Are you concerned? Read the following facts and judge for yourself.

Note that these facts (the text in quotes) are not being contested by either liberals or conservatives. In fact, most of the following quotes were made publicly by several members of the Democratic and Republican parties.

Curtailing the Power of the Justice Department

Paul Dans, who served in the Office of Personnel Management under Trump, is leading an effort supported by the Heritage Foundation to engage conservatives to serve in a Republican administration. No surprise there, as politicians often make plans for their possible ascension to power in Washington.

One of his major efforts is helping to select an Attorney General. He has made public his views about the Justice Department, stating, “The notion of the so-called independence of the Justice Department needs to be consigned to the ash heap of history.”³

“Dans and his colleagues at Heritage are laying the groundwork for a radical politicization of the federal civilian workforce. If they get their way, the next Republican president will sign an executive order eliminating civil-service protections for up to 50,000 federal workers, effectively making these people political appointees.

“Heritage has begun to put together a roster of thousands of pre-vetted potential recruits.” [Trump has stated], “Either the deep state destroys America, or we destroy the deep state.”⁴

It is expected that Trump, logically enough, would get rid of any Special Counsel (Jack Smith, in this instance) who is in charge of federal investigations of the man. Can he do that? Yes, if re-elected, he will have clout over the Attorney General (AG), and a Special Counsel can be removed by the AG.

While federal charges would [still] remain intact, “no law would prevent Trump from ordering they be dropped.”⁵

Several years ago, Trump asserted in a 2015 post on Twitter he had the “absolute right to pardon myself.”

¹ Parts of this material are sourced from my *Fractured* (2023), and *The Atlantic* (January/February 2024). See accompanying footnotes.

² Judy Sproles’ quote from Scot Morris, “You Make the Laws,” *Omni*, May 1979.

³ *The Atlantic*, 23.

⁴ *Ibid.*, 24.

⁵ *Ibid.*, 28.

Do these facts bother the American citizenry? It likely depends on the political affiliation of each citizen. Conservative citizen: *It's long overdue! The deep state is killing America.* Liberal citizen: *It will be a disaster! The heretofore apolitical civil service will become a politically partisan weapon for Trump to alter America's governance.*

Curtailing the Power of the Deep State?

The *deep state* is assailed by a number of American citizens as a network of high-level federal employees who manipulate the government to promote their causes, often at the expense of the public good. It is purported to operate alongside elected US representatives, and is frequently at odds with these officials and the electorate.

Is there a deep state in America? Some say yes. Some say no. One prominent politician who says yes is Mike Davis. He is a Republican with stature and influence in the party.

If Davis were in a position of authority under a Trump administration, he said he “would rain hell on Washington,” adding, “We’re gonna fire a lot of people in the executive branch, in the deep state.” He would “indict Joe Biden and Hunter Biden and James Biden and every other scumball, sleazeball Biden.” He also said that after Trump returns to the presidency, “...every January 6 defendant is gonna get a pardon.”⁶

Of course, as with any US President, Trump could have the Attorney General appoint a Special Counsel to do Trump’s cleanup. Who might that be in that cleanup? Trump has named several individuals whom he says deserve to be hauled before the courts to face criminal charges.

They include Joe Biden, Mark Milley (former chairman of the Joint Chiefs of Staff, who circumvented many of Trump’s orders). Also included are James Clapper (former Director of National Intelligence) and James Comey (former Director of the FBI). Both men impeded some of Trump’s actions when he was in the Oval Office.

It is an accepted fact by liberals and conservatives that these men failed to carry out many of Trump’s directives and directions. Some believe they did not serve the President in accordance with their mandated responsibilities. Others claim they veered Trump away from unethical, even illegal, actions.

Taking Care of the Constitution

The Take Care Clause of the US Constitution (Article II, Section 3) requires the president to obey and enforce all laws. It is both a source of presidential power and a source of presidential limitation:

Primarily, the Take Care Clause has been interpreted as placing an obligation on both the President and those under his supervision to comply with and execute clear statutory directives as enacted by Congress. However, the Supreme Court has also construed the Clause as ensuring Presidential control over the enforcement of federal law. As a result, courts generally will not review Presidential enforcement decisions, including the decision of whether to initiate a criminal prosecution or administrative enforcement action in response to a violation of federal law.⁷

⁶ *The Atlantic.*, 28.

⁷ <https://crsreports.congress.gov/product/pdf/R/R43708>.

After repeating his claim that “the results of the 2020 presidential election were ‘fraudulent,’ Trump wrote on Truth Social on Dec. 3, 2022: ‘A Massive Fraud of this type and magnitude allows for the termination of all rules, regulations, and articles, even those found in the Constitution.’”⁸

Critics have stated that Trump’s statement meant he advocates terminating the Constitution. Trump has denied these claims, stating he meant that “steps must be immediately taken to RIGHT THE WRONG” of election fraud.⁹

Did he or did he not make that statement on Truth Social? It is accepted by both conservatives and liberals that he did. But it is the opinion of his supporters that he did not mean it. Conversely, it is the position of his detractors that he did. This confusing situation has created further hostilities between liberals and conservatives.

Election Fraud?

Most of the increasingly dangerous confrontations taking place among America’s leaders and citizenry---in relation to Donald Trump---pertain to his claim of fraud in the 2020 presidential election. Here are some pertinent facts about this foreboding situation:

The Associated Press conducted an investigation of the 2020 election. In six swing states (battle ground states: Arizona, Georgia, Michigan, Nevada, Pennsylvania, and Wisconsin), the AP found “fewer than 475 cases of voter fraud in these states. The review found individualized cases of voter fraud in each state: 198 in Arizona, 64 in Georgia, 26 in Pennsylvania, 31 in Wisconsin, 56 in Michigan, and around 98 in Nevada.”

These incidents were miniscule compared to the 159,633,396 votes cast in the election. The AP added, “The cases could not throw the outcome into question even if all the potentially fraudulent votes were for Biden, which they were not, and even if those ballots were actually counted, which in most cases they were not.”¹⁰

But social media is feeding millions of Internet and smartphone users misinformation about this election. False facts, if you will, from which you and I form our opinions.¹¹ It has become a dangerous situation for this country.

Facts about Opinions

If elected, Trump is not going to staff the Executive Branch with people who might act as road blocks to his agenda. He learned his lesson during his first term in office, and has been candid about his intentions, some summarized above.

To emphasize, the quotes cited above about radical changes to the government come from Trump and his supporters. They reflect his plans for his possible second term. Of course, they reflect opinions about a potential future, but they reveal facts about the power of the

⁸ <https://www.snopes.com/fact-check/trump-termination-us-constitution/>.

⁹ Ibid.

¹⁰ Uyless Black, *Fractured Volume Two: How Class and Culture Wars have Divided America* (IEI Press: Coeur d’Alene, ID, 2023), 152.

¹¹ Ibid., 267.

presidency, especially if the President has the backing of the other two branches of the federal government.

Are Trump's presidential plans to your liking or do they alarm you? The answer most likely depends on your opinion of Donald Trump. And given human nature, most of us have already made up our minds on whom we will support in the upcoming presidential election.

But those who have not, the fence sitters---in swing states discussed earlier---are going to determine the fate of the American Republic for many years to come.