

The Atlantic

The Anti-Trump Strategy That's Actually Working **Lawsuits, lawsuits, and more lawsuits.**

By Michael Scherer

September 2, 2025

Days after Attorney General Pam Bondi tried to put an end to the Justice Department's revelations about Jeffrey Epstein, captains of the legal resistance gathered by Zoom. Norm Eisen, a former attorney for Barack Obama's White House, had convened lawyers, Democratic communications strategists, a neoconservative Trump critic, and a former chair of the Michigan Democratic Party. This one was big, Eisen said from his parked car in Baltimore, where he had traveled for a lawsuit to overturn President Donald Trump's cuts to AmeriCorps. They should move quickly.

"The Trump-Epstein story is the story of the Trump administration—corruption benefiting his rich and powerful cronies at the expense of vulnerable people," Eisen explained as I lurked on the July call with everyone's permission.

The plan was to file a Hail Mary lawsuit to force the Department of Justice to release any documents in its possession that tie Epstein, a convicted child sex offender, to Trump. Eisen's team had already filed the request for anything that connects the two men, under the Freedom of Information Act. The FOIA is normally a weak tool for unlocking investigative records gathered for criminal investigations, but Eisen had a legal theory: Because the DOJ had argued under pressure after Bondi's announcement that the extraordinary public interest in the Epstein case required the unsealing of grand-jury testimony, they could argue the same thing. And that was just the beginning.

Eisen, who has pursued more than 100 legal matters against Trump since his second inauguration, explained that he wanted to try the case in the court of law and the court of public opinion. He asked for an update on an op-ed he had written raising questions about "a potential cover up" of Trump's dealings with Epstein. He wanted a plan from Lavora Barnes, the former Michigan party chair, about how they would get elected leaders to discuss the Epstein records. He wanted a press plan to publicize the requests they had already filed, and the lawsuit they would file a few weeks later. A discussion followed about whether they should also try to intervene in the Justice Department's effort to unseal grand-jury testimony, how many of the Epstein records they should demand to release, and how the Epstein issue fit with other arguments against Trump. "We have an extremely strong horse right now. Let's just ride that," said Bill Kristol, the resident neoconservative. "We want to know what's going on with the Epstein files."

The first seven months of Trump's Oval Office do-over have been, with occasional

exception, a tale of ruthless domination. The Democratic opposition is feeble and fumbling, the federal bureaucracy traumatized and neutered. Corporate leaders come bearing gifts, the Republican Party has been scrubbed of dissent, and the street protests are diminished in size. Even the news media, a major check on Trump's power in his first term, have faded from their 2017 ferocity, hobbled by budget cuts, diminished ratings, and owners wary of crossing the president.

One exception has stood out: A legal resistance led by a patchwork coalition of lawyers, public-interest groups, Democratic state attorneys general, and unions has frustrated Trump's ambitions. Hundreds of attorneys and plaintiffs have stood up to him, feeding a steady assembly line of setbacks and judicial reprimands for a president who has systematically sought to break down limits on his own power. Of the 384 cases filed through August 28 against the Trump administration, 130 have led to orders blocking at least part of the president's efforts, and 148 cases await a ruling, according to a review by Just Security. Dozens of those rulings are the final word, with no appeal by the government, and others have been stayed on appeal, including by the Supreme Court.

"The only place we had any real traction was to start suing, because everything else was inert," Eisen told me. "Trump v. the Rule of Law is like the fight of the century between Ali and Frazier, or the Thrilla in Manila or the Rumble in the Jungle. It's a great heavyweight battle."

The legal scorecard so far is more than enough to provoke routine cries of "judicial tyranny" by Trump and his advisers. "Unelected rogue judges are trying to steal years of time from a 4 year term," reads one typical social-media complaint from Trump's senior adviser Stephen Miller. "It's the most egregious theft one can imagine."

But Miller's fury was, in part, misdirected. Before there can be rulings from judges, there must be plaintiffs who bring a case, investigators who collect facts and declarations about the harm caused, and lawyers who can shape it all into legal theories that make their way to judicial opinions. This backbone of the Trump resistance has as much in common with political organizing and investigative reporting as it does with legal theory.

"It should give great pause to the American public that parties are being recruited to harm the agenda the American people elected President Trump to implement," White House spokeswoman Abigail Jackson told me in a statement.

Even those at the center of the fight against Trump view their greatest accomplishments as going beyond the temporary restraining orders or permanent injunctions they won. Without the court fights, the public would not know about many of the activities of Elon Musk's DOGE employees in the early months of the administration. They would not have read headlines in which federal judges accuse the president's team of perpetrating a

“sham” or taking actions “shocking not only to judges, but to the intuitive sense of liberty that Americans far removed from courthouses still hold dear.” Kilmar Abrego Garcia would not have become a household name. Even cases that Trump ultimately won on appeal—such as his ability to fire transgender soldiers, defund scientific research, and dismiss tens of thousands of government employees—were delayed and kept in the news by the judicial process.

In Trump immigration cases, it’s one thing in public, another in court

Since Inauguration Day, executive orders have been defanged or blocked, agency closures delayed, government-employee firings reversed. Deportation flights have been delayed, law firms have freed themselves from Trump’s retaliation, and foreign students have won the ability to continue studying at U.S. universities. Courts have forced the president to restore cut services and spending to AmeriCorps, the U.S. African Development Foundation, the CDC, and other agencies. They have upended an effort by the Office of Refugee Resettlement to make it more difficult to release unaccompanied minors from government custody and forced Trump to pay for foreign-aid bills he had hoped to stiff-arm. A federal appeals court ruled Friday that many of Trump’s tariffs were illegal, setting up a likely hearing by the Supreme Court.

“The biggest victory, I think, has been in terms of highlighting the egregious nature of what Trump is doing,” Rushab Sanghvi, the general counsel for the American Federation of Government Employees, told me. “It is getting the public to understand how terrible it is.”

The groundwork for these victories was laid before Trump was even reelected, in a series of summits in 2023 and 2024. Universities hosted symposiums. Organized labor held private meetings. International experts, who had been studying Hungary’s Viktor Orbán, warned that Trump would move quickly and try to overwhelm his opponents. “We needed to flood the zone with rule-of-law shock and awe,” Eisen told me after the Zoom call.

The plan that emerged was not focused on centralizing a response, but on running a barrage of coordinated efforts. Attorneys general would represent states, advocacy groups such as Public Citizen and the ACLU would focus on their areas of expertise, and the unions would gather stories from their members and identify plaintiffs who could show harm. Atop this infrastructure, new organizations took shape, bringing in tens of millions of dollars to pay for it all.

The offices of Democracy Forward, the single largest source of Trump’s legal troubles, look from the inside like those of any corporate Washington law firm. From the building’s corner windows, the group’s more than 130 staff members—about half of

them attorneys—can just make out the White House a couple of blocks down the street. By their count, they have also filed more than 100 legal actions so far this year against Trump, often with union, nonprofit, or local-government partners.

Since 2021, the group had been operating on the assumption that American democracy was backsliding, and that the outcome of the 2024 election would merely determine whether it sped up or slowed down. By early 2024, it had established working groups with other organizations to begin sketching out the “threat matrix” of a second Trump term, placing particular focus on the Heritage Foundation’s Project 2025, which Trump distanced himself from while campaigning but has largely embraced while in office. “We knew that if the federal landscape were to regress, people would have very few levers of power left,” Skye Perryman, Democracy Forward’s president, told me. “They would be able to go to the streets and to vote, and they would be able to use litigation.”

Democracy Forward’s first filing, to gain access to the deliberations of DOGE, hit the docket of the D.C. district court within hours of Trump taking the oath of office. Eisen’s Democracy Defenders Fund, which has about two dozen attorneys, and three other legal groups filed similar suits at the same time. The decision to sue so soon was controversial. Perryman remembers some elected Democrats, among others, urging her to hold back. But she had been gaming out the moment for more than a year. She had a theory of the case and a coalition that saw the moment as she did. “Right now, it’s fight versus no fight, rather than left or center-left,” she told me.

‘I run the country and the world.’

One week later, the group faced its first crisis. The Office of Management and Budget released a memo telling federal agencies to “temporarily pause all activities related to obligation or disbursement of all Federal financial assistance,” a seismic order that threatened to close hundreds of federally funded programs around the country. “Our litigators knew on the surface: This is unlawful,” Megan Uzzell, Democracy Forward’s director of external affairs, told me. But to build a case, they needed plaintiffs who had been harmed. That night, they worked the phones, signing up an array of groups that received federal funding and needed lawyers, such as the National Council of Nonprofits, the American Public Health Association, and the Main Street Alliance. “We developed that,” Uzzell said. “Our litigators stayed up all night long developing the legal framework, and we were in court by 10 o’clock the next morning.” The memo was stayed by a court that day and withdrawn by the White House the next.

A pattern developed. Attorneys drafted legal arguments for potential moves by Trump, worked the phones to find plaintiffs and dig up facts, and then rushed to court. “It is what the administration didn’t think the legal community would be able to do,” Perryman told me. “This is highly factually intense work. It’s designed that way so that

the administration can go in and make a bunch of technical arguments, and we have met them every step of the way.”

Shortly after Trump’s second inauguration, a school-committee member for Easthampton, Massachusetts, received a Facebook Messenger text from an old college friend asking if she would be interested in going to court. Democracy Forward was preparing a lawsuit against Trump to challenge expected cuts to the Department of Education, and they were looking for plaintiffs.

Easthampton is a former mill town in the western part of the state, with a school district of about 1,400 kids and 118 teachers, and a working-class population that is far more politically mixed than much of the broadly liberal area. For the mayor and the school committee, going to court was not an easy decision. The superintendent and the district’s lawyer were initially skeptical. But Sam Hunter, who received the outreach, along with his school-committee colleague Laura Scott, decided to push ahead anyway.

“The conversation was, ‘You are in 1938 Berlin. Which kind of person are you?’” Scott remembered. “This is the closest you are going to get to that moment.” Democracy Forward also signed up the Somerville, Massachusetts, school district, along with a set of public-employee unions. The case eventually merged with a similar lawsuit filed by Democratic state attorneys general.

Weeks later, Hunter found himself in a Boston courtroom listening to the federal judge Myong J. Joun consider Trump’s decision to eliminate about half of the staff at the Department of Education in the name of efficiency. The president had acknowledged that he could not get rid of the department altogether—Trump’s stated goal—without an act of Congress. But his lawyers argued that he had the power to make personnel decisions in the meantime, even if that meant firing half of the employees. The question before the judge was whether the government’s claims made constitutional sense.

Joun, who was nominated by President Joe Biden, had before him a raft of details about Easthampton’s concerns. The Education Department’s Office for Civil Rights, which had been targeted for dismantling by Trump, had worked closely with the district to resolve issues of racial bias in how the schools disciplined their students. Their transportation options, class sizes, and accommodations for students with disabilities all depended on federal support.

“Do you drink coffee?” Joun asked Deputy Assistant Attorney General Eric Hamilton at a hearing, in late April.

“I do,” Hamilton responded for the government.

"I drink coffee every morning," the judge continued. "I go to Dunkin' Donuts, and when I walk in, there is a person behind the counter. There is a person making a fresh pot of coffee. If I want a sandwich, there's a person at the sandwich station ... Let's say one morning there is no one there. I don't think the plaintiffs are saying that Dunkin' Donuts should hire these three employees back. I think what they're saying is they want their cup of coffee."

At another point in the argument, Joun dismissed the government's claim that Trump's order was legal because it said in the text that it would not violate the law, comparing it to a teenager coming up with a nonsensical explanation for breaking a parent's rules.

Hunter was surprised by the lighthearted tone. It was clear to him that Joun was on the side of the schools. "Every time he made one of those jokes, I would look around and think: Are we all laughing?" Hunter told me.

Joun ruled that Trump's cuts overstepped his authority, quoting at length from the briefs that Easthampton had filed. "The idea that Defendants' actions are merely a 'reorganization' is plainly not true," he wrote, issuing a preliminary injunction that prohibited the Department of Education from going through with its planned layoffs. Weeks later, the First Circuit Court of Appeals unanimously upheld the ruling, sending it to the U.S. Supreme Court.

"All of our lawsuits tell stories," Randi Weingarten, the head of the American Federation of Teachers, which was a co-plaintiff in the lawsuit and 11 others, told me. "But you can't ask the judge to do all the work. If you want to prevail, you have to put real stories and real harm in front of the judge."

The Supreme Court's liberals are trying to tell Americans something

The Supreme Court ultimately voided Joun's ruling in an order that offered no reasoning. "The majority apparently deems it more important to free the Government from paying employees it had no right to fire than to avert these very real harms while the litigation continues," Justice Sonia Sotomayor wrote in a dissent joined by the Court's two other Democratic appointees. The Department of Education employees were dismissed. But the law remains unsettled. Joun has ordered amended complaints to be filed by October 15, setting up a winter battle that could eventually end up back at the Supreme Court.

Eisen believes that these legal struggles against Trump are just the opening minutes of a much larger battle. "He did not win that round. We did not win either," he told me, "but we held our own, and that in itself is a victory."

The Supreme Court, which has so far appeared more favorable to Trump than district

courts, could ultimately tilt the scorecard in the president's favor, as the justices begin to consider the substance of the legal questions presented by Trump. But the ultimate score will not be recorded on just the appellate docket or in the list of injunctions that are left to stand. Organizers are tracking Trump's approval ratings, as well, anticipating the effect the legal efforts could have on the 2026 midterm elections. "Despite the bluster from the White House, the president has been losing public support. He is losing in court in ways that he did not anticipate," Perryman told me. Voters have the power to provide the ultimate check.

The president is also providing more fodder for more lawsuits. The many aggressive tactics by ICE have spawned new cases, as has the deployment of federal officers and National Guardsmen to try to crack down on crime in D.C. Eisen is working on a plan for a lawsuit against Trump that challenges the financial benefits he and his family have enjoyed since taking office. The battle, in short, is just beginning.

"The demand for lawyers that are willing to defend people from the government is exponentially greater today than it was on day one," Perryman told me. "We believe the next 200 days are going to be even more significant than the first 200 days."

Michael Scherer is a staff writer at The Atlantic.

Substack

Democrats Are Celebrating a Court Order Restoring SNAP Benefits. Have They Not Been Paying Attention?

**By Christopher Armitage
November 3, 2025**

This is the fifth time federal judges have ordered the Trump administration to comply with something in 2025. The previous four times, they ignored the orders completely. In two cases, the Supreme Court eventually overturned the lower court orders, retroactively blessing what the administration had already done illegally. In the other two cases, the administration just kept violating the orders while appealing. Either way, the result was the same: no compliance. Fool us once, shame on you. Fool us five times, and what the fuck are we doing?

On Friday, October 31, 2025, federal Judge John McConnell ordered the Trump

administration to restore SNAP benefits using emergency contingency funds. The deadline: Monday, November 3 at noon. Democratic politicians and advocacy groups celebrated on social media. “Victory!” “The courts are protecting families!” “Democracy works!”

If you think that court order guarantees SNAP benefits will actually be restored by Monday, let me show you what happened the last four times federal judges ordered this administration to comply with something.

On March 15, 2025, federal Judge James Boasberg gave the Trump administration an oral order from the bench during an emergency hearing: turn the deportation planes around. Immediately. Bring those Venezuelan migrants back to U.S. soil.

The administration heard him. Then they sent three more planes anyway.

That moment crystallized something that legal experts have been reluctant to say out loud: federal courts have lost their enforcement power over an executive branch that simply refuses to acknowledge judicial authority when it rules against them. The Trump administration has discovered that judges can issue all the orders they want, but without an executive branch willing to enforce those orders, they’re just strongly worded suggestions.

This creates a different problem than most legal observers want to acknowledge. Multiple federal judges have explicitly found that the Trump administration is violating court orders. What matters is what happens when one branch of government decides that judicial orders only count when they agree with them, and there’s no enforcement mechanism that doesn’t depend on the very officials who are defying those orders.

Judge Boasberg’s April 16, 2025 ruling finding probable cause for criminal contempt against the Trump administration used language almost unprecedented in modern judicial history. He found “willful disregard” for his order. He found the government “deliberately flouted” both his written order and his oral command. He accused the administration of “increasing obstructionism” and “stonewalling.” Most significantly, he concluded that “the Constitution does not tolerate willful disobedience of judicial orders, especially by officials of a coordinate branch who have sworn an oath to uphold it.”

But here’s what matters: that ruling came a full month after the violation. The planes had already landed in El Salvador. The 261 migrants, including 137 Venezuelans protected by his order, were already locked in CECOT prison. Boasberg could write a 46-page opinion documenting willful contempt. He could threaten to refer the case to DOJ for prosecution or appoint a special prosecutor. None of it brought those planes back.

The administration's response to being found in probable criminal contempt? White House Press Secretary Karoline Leavitt declared that "a single judge in a single city cannot direct the movements of an aircraft carrier full of foreign alien terrorists who were physically expelled from U.S. soil." The message was clear: we don't recognize your authority.

This wasn't an isolated incident. On February 10, 2025, Judge John McConnell found that the Trump administration had continued implementing the federal funding freeze despite his explicit nationwide temporary restraining order blocking it. Federal agencies kept sending pause notifications to state health departments, universities, and nonprofits. Judge McConnell wrote that he was "deeply concerned" about "systematic non-compliance with a valid judicial order" and noted that "the rule of law means nothing if the executive branch simply ignores court orders it finds inconvenient."

On May 21, 2025, Judge Brian Murphy found the administration's deportation of eight migrants to third countries "unquestionably violative" of his April 18 order. He stated it was "impossible" that the migrants had meaningful opportunity to challenge their removal since they received only 17 hours notice late at night. He openly considered holding the government in contempt for criminal obstruction, saying "based on what I have been told, this seems like it may be contempt."

On October 14, 2025, Judge William Smith found that the Trump administration's new FEMA grant conditions were a "ham-handed attempt to bully the states" that was "not a good faith effort to comply with the order." He explicitly found the administration had violated his previous court order.

Four different federal judges. Four explicit findings of violation. Judges appointed by Obama, Biden, and even Bush. The bipartisan nature of these findings matters because it demolishes any argument that this represents partisan opposition rather than legitimate legal concerns about executive branch defiance.

The Kilmar Abrego García case shows what happens when every level of the federal judiciary agrees the administration violated the law. An immigration judge issued a 2019 order prohibiting his deportation to El Salvador due to credible fear of persecution. ICE deported him anyway on March 15, 2025. Judge Paula Xinis called it an "illegal act" and ordered the government to bring him back by midnight April 7. The administration appealed. The Fourth Circuit denied the appeal. The Supreme Court affirmed the order to "facilitate" his return.

The administration's response? They claimed no authority to return someone they'd illegally deported. For two months, they refused. When they finally brought him back June 6, it was to charge him with human trafficking, not to comply with court orders.

Or consider the federal funding freeze cases. Judge McConnell issued his order on January 31, blocking the freeze. Agencies continued implementing it. On February 3, Judge Loren AliKhan found the administration's claimed "rescission" of the OMB memo was a "thinly veiled attempt to prevent this court from granting relief" and that he could "think of few things more disingenuous" than claiming they had rescinded the freeze. The evidence showed they hadn't. Judge McConnell then issued a 45-page preliminary injunction on March 6 that indefinitely blocked the freeze after "a litany of struggles experienced by the States in the last seven weeks" caused by the administration's "continued attempts to implement the funding freeze."

ProPublica documented organizations unable to operate even after the March 6 preliminary injunction. Phoenix Health Clinic laid off employees and cut salaries. Walker Basin Conservancy couldn't hire seasonal workers. Poudre River Restoration was told "grants are suspended" after being told they were safe.

The preliminary injunction didn't stop it. The violations continued.

Here's the pattern that brings clarity to the situation: the Trump administration aggressively pursues favorable court rulings and immediately complies with those. When the Supreme Court granted a stay on September 26, 2025 allowing them to withhold \$4 billion in foreign aid (the exact thing lower courts had ordered them to stop doing), they moved immediately. When the Supreme Court overturned Judge Murphy's third-country removal order on June 23, 2025, deportation flights resumed within days.

The Supreme Court rewarded the administration for ignoring lower court orders by giving them permission to do exactly what they'd been doing illegally. Defy the order, appeal to a friendlier court, get the order overturned. It works.

But when courts rule against them? The administration employs a consistent set of tactics that Georgetown Law Professor David Super identified: "They insist that injunctions relate only to one source of legal authority and then manufacture another to keep doing what they have been ordered not to do."

The methods are predictable. After one legal basis is blocked, they invoke different statutory authority. They claim orders apply only to specific agencies or funding types, even when language is clear. They deny funding to organizations whose granting agencies weren't defendants. They cite "operational" challenges. They invoke state secrets privilege. They implement blocked policies with clauses saying they're contingent on appeals. Judges repeatedly rejected these arguments as contradicted by evidence.

The Trump administration's own statements reveal how they view judicial authority. Vice

President JD Vance: “judges aren’t allowed to control the executive’s legitimate power.” President Trump on a radio show: “Judges should be ruling. They shouldn’t be dictating what you’re supposed to be doing.” White House Press Secretary Karoline Leavitt after the OMB memo “rescission”: “more executive action will continue to end the egregious waste of federal funding.”

The message: judicial orders that constrain executive action are illegitimate. Courts can rule however they want. The administration will do what it intended anyway.

Yale Law Professor Nicholas Parrillo’s 2018 Harvard Law Review study found “no examples of open presidential defiance of court orders in the years since 1865.” The last comparable defiance was Southern governors refusing to integrate schools after Brown v. Board of Education in 1954.

Legal experts have been direct about what 2025 represents. David Super: “one step short of outright defiance.” Retired Federal Judge Nancy Gertner, now at Harvard Law: “If Trump wanted to fully not comply, he could direct DOJ not to comply. At that point, you have a full-on constitutional crisis.”

Except that’s exactly what the evidence shows. Four federal judges made explicit findings of violation. Judge Boasberg found probable cause for criminal contempt based on “willful disregard” and “deliberately flouted” orders. Judge Murphy found actions “unquestionably violative” of his order. Judge McConnell found “systematic non-compliance.” Judge Smith found a “ham-handed attempt to bully the states” that was not good faith compliance. These aren’t allegations. These are formal judicial findings by federal judges.

The administration’s position is more sophisticated than announcing they won’t comply. They comply when convenient, delay when possible, ignore when necessary, and manufacture new rationales when blocked. They create procedural fog while doing what they were ordered not to do.

Retired Federal Judge Nancy Gertner, now at Harvard Law, explained the administration’s calculation: “It’s particularly troubling that someone says they can’t wait out 14 days. If you don’t like the order, you oppose it at the preliminary injunction phase, and then you appeal. You don’t thumb your nose at the courts in the interim.” But the administration discovered something important: if you do thumb your nose at the courts, and the mechanism for enforcing compliance depends on DOJ officials you control, nothing happens except some strongly worded judicial opinions.

Justice Sotomayor wrote in dissent after the Supreme Court sided with the Trump administration and overturned Judge Murphy’s order (the same order the administration

had already violated): “Apparently, the Court finds the idea that thousands will suffer violence in far-flung locales more palatable than the remote possibility that a District Court exceeded its remedial powers. This is not the first time the court closes its eyes to noncompliance, nor, I fear, will it be the last.” She accused the majority of “rewarding lawlessness” and warned its actions “further erodes respect for courts and for the rule of law.”

She wasn’t being metaphorical. The Supreme Court literally rewarded the administration’s lawlessness by overturning the order they’d already violated.

Justice Kagan’s dissent in the foreign aid stay case noted that the administration’s actions prevent funds “from reaching their intended recipients, not just now but (because of their impending expiration) for all time.” She characterized the issue as operating in “uncharted territory” involving “the allocation of power between the Executive and Congress over the expenditure of public monies.”

Even Supreme Court justices are acknowledging that judicial authority is being systematically undermined.

Here’s what the Trump administration has demonstrated works to nullify judicial authority. Claim ambiguity in clear language. Invoke different authority after one is blocked. Create bureaucratic confusion. Argue orders don’t apply to specific situations. Let deadlines pass. Follow orders while appealing. Invoke privileges to avoid providing evidence. Claim good faith while violating orders.

Most importantly: recognize that enforcement depends on officials you control. Contempt enforcement requires DOJ prosecutors. If DOJ won’t prosecute its own administration, contempt findings are symbolic. Special prosecutors take months or years while violations continue.

The Trump administration has learned what happens when you call the judiciary’s bluff: nothing they can’t manage. Strongly worded opinions don’t reverse deportations. Contempt findings don’t unfreeze funding. Orders don’t matter if the executive branch decides they don’t.

Here’s the reality: traditional rule-of-law approaches are failing against an administration that doesn’t recognize judicial authority as legitimate when it constrains them. Filing lawsuits, winning injunctions, getting favorable rulings, even Supreme Court agreement, none guarantees compliance.

One side is bound by institutional norms the other ignores. The Trump administration treats courts as legitimate only when courts agree. When courts rule against them, they

deploy tactics to delay, evade, or defy while maintaining a veneer of legal process.

Legal challenges can slow implementation, create documentation, impose costs, and occasionally succeed when the administration faces unified opposition. But legal challenges alone will not stop an administration that violates court orders when convenient and suffers no meaningful consequences.

The Supreme Court is captured. Federal law enforcement won't touch this administration because this administration controls federal law enforcement. Traditional legal strategies aren't just failing, they're providing cover for the systematic dismantling of judicial authority.

The rule of law cannot survive as a one-way street where only one side is bound by judicial authority. Executive power is now constrained only by political consequences, not legal ones.

Four federal judges made explicit findings that the Trump administration violated their orders. Those findings meant nothing in practice. The violations continued. That's the reality of where we are in 2025.

If this administration ignores court orders to restore SNAP benefits, deports people in defiance of three levels of federal judiciary, and suffers zero consequences, they will absolutely ignore court orders related to elections. If Texas decides not to count votes from Houston, Austin, and San Antonio, who exactly holds them accountable? If Florida throws out ballots from Miami-Dade and Broward County, what enforcement mechanism exists? If Georgia refuses to certify results from Atlanta despite a federal court order, who prosecutes? This DOJ won't. Federal marshals won't enforce compliance. And state officials who help steal elections won't just avoid consequences. They'll get Trump pardons, administration job offers, Fox News contributor deals, and the gratitude of a president who needs them to remain in power.

The pattern we documented isn't just about deportations and funding. We're watching the dress rehearsal. They're learning which courts reward defiance (SCOTUS), which enforcement mechanisms don't work (contempt referrals to DOJ), and what happens when you ignore orders (nothing). They're stress-testing the system and finding it has no fail-safes when the executive simply refuses to enforce judicial authority against itself.

They have every incentive to prevent free and fair elections. Losing power means potential prosecution for the crimes they're committing right now. They have every tool to prevent those elections. The federal law enforcement apparatus answers to them. The Supreme Court rewards their defiance. And they've demonstrated they'll help state officials violate court orders when it serves their interests.

The only consequences they face are if they fail to stop democracy. Think about that incentive structure.

When rule of law breaks down, successful resistance requires non-compliance and soft secession. Blue states stop cooperating with federal enforcement. Sanctuary policies expand beyond immigration to include state-level protection for targeted individuals and organizations. Interstate compacts that bypass federal authority. Parallel systems that don't depend on federal cooperation. Making it politically costly and operationally difficult for this administration to implement its agenda in states that refuse to participate.

That response requires specific officials with actual enforcement power: Democratic attorneys general and governors in the 25 states where they currently serve. These officials control state law enforcement, state regulatory agencies, state courts, and state resources. When federal courts lose their enforcement power because DOJ won't act, state attorneys general become the only officials with authority and incentive to prosecute federal overreach. When federal marshals won't enforce judicial orders, governors control state police and National Guard units. When this administration protects state officials who violate court orders around elections, only state attorneys general can prosecute them.

Twenty-five states currently have at least one Democratic official serving as attorney general or governor. Nineteen have both. These officials need to hear that their constituents expect them to prepare state-level resistance infrastructure now, not after the next violation. They need to know that voters understand courts alone cannot stop this administration, and that state enforcement power is the only viable defense against the systematic dismantling of democratic institutions.

Below is contact information for every Democratic attorney general and governor currently in office. Send them this article along with a few sentences about why you hope they'll read it and why you care.

We Need to Talk About Soft Secession
Christopher Armitage

Democratic State Officials Contact Directory (As of November 2025)

25 states currently have at least one Democratic official serving as Governor or Attorney General. This directory provides official constituent contact information for these elected officials.

Complete State Listings

Arizona

Governor: Katie Hobbs (D) Email: Online contact form at azgovernor.gov Phone: (602) 542-4043

Attorney General: Kris Mayes (D) Email: Phone: (602) 542-5025

California

Governor: Gavin Newsom (D) Email: Online contact form at gov.ca.gov Phone: (916) 445-2841

Attorney General: Rob Bonta (D) Email: Online contact form at oag.ca.gov Phone: Contact via website

Colorado

Governor: Jared Polis (D) Email: Online contact form at colorado.gov Phone: Contact via website

Attorney General: Phil Weiser (D) Email: Online contact form at coag.gov Phone: Contact via website

Connecticut

Governor: Ned Lamont (D) Email: Online contact form at portal.ct.gov/governor Phone: (860) 566-4840 or 1-800-406-1527

Attorney General: William Tong (D) Email: Phone: (860) 808-5318 or (860) 808-5387

Delaware

Governor: Matt Meyer (D) Email: Contact via delaware.gov Phone: Contact via website

Attorney General: Kathy Jennings (D) Email: Contact via attorneygeneral.delaware.gov Phone: Contact via website

Hawaii

Governor: Josh Green (D) Email: Online contact form at governor.hawaii.gov Phone: (808) 586-0034

Attorney General: Anne E. Lopez (D) Email: Online contact form at ag.hawaii.gov Phone: (808) 586-1500

Illinois

Governor: JB Pritzker (D) Email: Online contact form at gov.illinois.gov/contact-us Phone: (217) 782-0244

Attorney General: Kwame Raoul (D) Email: Online contact form at illinoisattorneygeneral.gov/contact Phone: (217) 782-1090 (Springfield) or (312) 814-3000 (Chicago)

Kansas

Governor: Laura Kelly (D) Email: Phone: (785) 368-8500

Attorney General: Kris Kobach (R) - Not applicable

Kentucky

Governor: Andy Beshear (D) Email: Online contact form at governor.ky.gov/contact Phone: (502) 564-2611

Attorney General: Russell Coleman (R) - Not applicable

Maine

Governor: Janet Mills (D) Email: Phone: (207) 287-3531

Attorney General: Aaron Frey (D) Email: Contact via maine.gov/ag Phone: Contact via website

Maryland

Governor: Wes Moore (D) Email: Contact via maryland.gov Phone: Contact via website

Attorney General: Anthony Brown (D) Email: Contact via marylandattorneygeneral.gov Phone: Contact via website

Massachusetts

Governor: Maura Healey (D) Email: Phone: (617) 725-4005 or (888) 870-7770 (toll-free in MA)

Attorney General: Andrea Campbell (D) Email: Online contact form at mass.gov/orgs/office-of-the-attorney-general Phone: Contact via website

Michigan

Governor: Gretchen Whitmer (D) Email: Online contact form at michigan.gov/whitmer/contact Phone: (517) 335-7858

Attorney General: Dana Nessel (D) Email: Online contact form at michigan.gov/ag Phone: (313) 456-0240 (Detroit) or (517) 335-7622 (Lansing)

Minnesota

Governor: Tim Walz (D) Email: Online contact form at mn.gov/governor/contact Phone: (651) 201-3400 or (800) 657-3717 (toll-free)

Attorney General: Keith Ellison (D) Email: Online contact form at ag.state.mn.us Phone: (651) 296-3353 or (800) 657-3787 (outside Twin Cities)

Nevada

Governor: Joe Lombardo (R) - Not applicable

Attorney General: Aaron D. Ford (D) Email: Contact via ag.nv.gov Phone: (775) 684-1100 (Carson City)

New Jersey

Governor: Phil Murphy (D) Email: Contact via nj.gov Phone: Contact via website

Attorney General: Matthew Platkin (D) Email: Contact via njoag.gov Phone: Contact via website

New Mexico

Governor: Michelle Lujan Grisham (D) Email: Online contact form at governor.state.nm.us Phone: (505) 476-2200 or (833) 520-0020 (toll-free)

Attorney General: Raúl Torrez (D) Email: Contact via nmdoj.gov Phone: Contact via website

New York

Governor: Kathy Hochul (D) Email: Contact via ny.gov Phone: Contact via website

Attorney General: Letitia James (D) Email: Contact via ag.ny.gov Phone: Contact via website

North Carolina

Governor: Josh Stein (D) Email: Phone: (919) 814-2000

Attorney General: Jeff Jackson (D) Email: Phone: (919) 538-2809

Oregon

Governor: Tina Kotek (D) Email: Phone: (503) 378-4582

Attorney General: Dan Rayfield (D) Email: Phone: (503) 378-6002

Pennsylvania

Governor: Josh Shapiro (D) Email: Contact via pa.gov Phone: Contact via website

Attorney General: Dave Sunday (R) - Not applicable

Rhode Island

Governor: Dan McKee (D) Email: Online contact form at governor.ri.gov/contact Phone: (401) 222-2080

Attorney General: Peter Neronha (D) Email: Contact via riag.ri.gov Phone: Contact via website

Vermont

Governor: Phil Scott (R) - Not applicable

Attorney General: Charity Clark (D) Email: Contact via website Phone: Contact via

website

Washington

Governor: Bob Ferguson (D) Email: Online contact form at governor's website Phone: (360) 902-4111

Attorney General: Nick Brown (D) Email: Online contact form at atg.wa.gov Phone: (360) 753-6200

Wisconsin

Governor: Tony Evers (D) Email: Online contact forms at evers.wi.gov/pages/connect.aspx Phone: Contact via website

Attorney General: Josh Kaul (D) Email: Online contact form at doj.state.wi.us Phone: (608) 266-1221

Summary Statistics

States with both Democratic Governor AND Attorney General (19): Maine, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, North Carolina, Illinois, Michigan, Wisconsin, Minnesota, Colorado, New Mexico, Arizona, Washington, Oregon, California, Hawaii

States with only Democratic Governor (3): Kansas, Kentucky, Pennsylvania

States with only Democratic Attorney General (2): Nevada, Vermont

Total: 25 states with at least one Democratic official

Chris Armitage is the author of the Substack blog [The Existential Republic](#).