

Funding the Future

Article URL

Published: January 12, 2026, 7:55 pm

Will Trump invoke the Insurrection Act of 1807 to enforce his rule, via a militia if need be, ending democracy in the USA in the process?

<https://www.youtube.com/watch?v=p1SjVCYUlwK?si=9HChLhsjBmm9krve>

This is the audio version:

https://www.podbean.com/player-v2/?i=ve9mg-18832c7-pb&from=pb6admin&share=1&download=1&rtl=0&fonts=Arial&skin=f6f6f6&font-color=&logo_link=episode_page&btn-skin=c73a3a

This is the transcript:

Is Trump about to end democracy in the USA? I fear he might be, and I fear it might be very soon that this happens. So let me explain my reasoning. There are two causes for my concern and one consequence.

Let's look at the causes. The first is a judge named Judge James Boasberg.

Judge Boasberg was the person who said to the federal administration that Trump could not deport people to El Salvador without there being proper due process in place. He ordered that a flight that was already on its way to that country be reversed and returned to the USA and the Trump administration ignored him.

What he's now done is suggest that, and I'm going to quote him, "the US Constitution does not tolerate willful disobedience of judicial powers, especially by officials of a

coordinate branch who have sworn an oath to uphold it."

In other words, what he's saying is that Trump and his cohort in his regime- and that's the right word for his government - have deliberately ignored the ruling of a federal judge and are therefore in contempt of court.

Now, if you know anything about the law, there is one group in society who really upset judges, and those are the people who are in contempt of court, because judges think that they are really important people and in a real sense they are, because their behavior is fundamental to the upholding of democracy because if we don't have the rule of law, we cannot have a democratic society.

Judge Boasberg is rightly saying that the people in the Trump administration who have ignored this order from Trump downwards, because he has bragged about it, are in contempt of court. They stand at risk as a consequence of going to prison. Let's be clear about that. That's the penalty for being in contempt, and he is starting proceedings.

Now, let me move to my second example of the reason why Trump might end democracy in the USA very soon. In this case, I'm talking about Governor Gavin Newsom in California. He has begun a legal action against the US federal government, brought by his state, which is the fifth-largest economy in the world, to put California into context. And what he is saying, absolutely and indisputably legally correctly, is that Trump is not allowed to impose tariffs in the USA without the approval of Congress, and Trump has never gone to Congress to seek that approval. Therefore, all the moves that he's making with regard to tariffs are, as Governor Newsom puts it, illegal.

He and his attorney general have lined up an argument. They're going to bring the case. They want to overthrow the entire process of disruption that Trump has created.

Those, in my opinion, are the two crisis points in the US legal system that are now facing Trump, amongst many other court cases that are going on, these two stand out to me and what I think is that Trump is going to do something extreme in reaction.

90 days ago, or at the time of recording this, almost 90 days ago, Trump signed an order and that order required that two of the most fair-minded people in the USA should look at whether there was an emergency or crisis amounting to insurrection in the USA, which would require that Trump could declare a state of emergency, meaning that the Insurrection Act of 1807 could be brought into force, basically suspending the rule of law and allowing military law to apply.

Those two fair-minded people were JD Vance, the Vice President of the USA, and Pete Hegseth, the Fox News commentator who happens now to be Secretary of State for Defense.

Do you think it likely that they're going to disagree with Trump?

Do you think it likely that this was all stage-managed to ensure that military law could be enforced?

Do you think that in practice, Judge Boasberg and Governor Newsom are, totally innocently, and totally, appropriately, but nonetheless, provocatively providing Trump with the excuse to actually go ahead with what he has always wanted. Which is to suspend democracy in the USA.

The 1807 act is remarkably short. In fairness, anybody can read it. There is a copy on my blog, but let's look at the key words, which are in section 333 of that Act, and they say this.

"If an action so hinders the executions of the laws of the United States, or opposes or obstructs the execution of the laws of the United States, or impedes the course of justice under those laws, then the Insurrection Act can be invoked."

And what happens when the Insurrection Act can be invoked by the President? It means that the President can either call up the army or what it describes as a militia, which these days is thought to be the National Guard, but it is not said as such in the Act, to enforce the law as the President sees it.

Could it be that President Trump could, in fact, call up a militia? There are, after all, hundreds of thousands, maybe millions of MAGA faithful in the USA who might respond to his call. They did in January 2021, after all. They staged an insurrection, then. Would they now do it again, legally, according to Trump, under the Insurrection Act, to oppress the powers that are trying to uphold the rule of law in America?

And what would happen if Trump did this?

My belief is that he will try to do this.

My belief is that he may end up in conflict with the US military as a result.

But I do believe he might call up a militia as a consequence, and if he does, wait for the disappearances to start.

How long will Governor Newsom be out of prison?

How long will Judge Boasberg be in office, let alone enjoy his freedom?

How long will many of Trump's long-term political opponents be out there enjoying their day-to-day activities?

How many of those who are now appearing daily on media shows in the USA criticising

Trump on things like MSNBC, and elsewhere, will be able to do so for very much longer?

When Trump believes that he can use the Insurrection Act, and he believes that he can use the power of force to literally dictate terms to the USA, anything could happen. And what we know is that there are no tyrants on earth who don't throw their opponents into prison or worse.

Trump might be moving to that point.

It doesn't take long for a democracy to collapse.

It might happen in the space of only three or so months in the USA.

We are living, as I've said before, and will say again in very dangerous times. But, the coming weekend, which will represent the 90 day anniversary of the signing of that order, requiring Vance and Hegseth to form this opinion, might, in the light of the actions of Governor Newsom and Judge Boasberg, give rise to the end of US democracy and that would be quite an astonishing turn of events that the world could never ignore.