

America has an imperial presidency

And in Donald Trump, an imperialist president for the first time in over a century



image: Ellie Foreman-Peck

[Leaders](#)

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WHAT WILL [Donald Trump](#) do next? A decade after he became the Republican front-runner, it is still the urgent question. In a distracted era Mr Trump has an unmatched genius for grabbing attention. And for reimagining presidential power. His second inauguration took place in the Capitol's Rotunda, the same spot where four years earlier his supporters had punched police officers in the face. The power he used to [pardon the Capitol rioters](#) on January 20th was originally designed to bring the nation together: to pardon political opponents, not the president's supporters (or members of the [outgoing president's family](#)). But that was the convention, not the law, and with Mr Trump in power, conventions are over.

Historians talk about the long 19th century ending in 1914. Precisely when the 20th century ended is, in this sense, debatable. But it is over. Mr Trump is still constrained by some of America's oldest institutions, including federalism and the courts. But he has thrown off many of the recent ones. The governance reforms after Watergate no longer apply. The consensus that America should be a benign superpower, born out of the ashes after 1945, has gone, too. And Mr Trump wants more: to see America unleashed, freed from norms, from political correctness, from the bureaucracy and, in some cases, even from the law. What's left is something old and new, an ideology from the railroad era mixed with the ambition to plant the flag on Mars.

Out of the 19th century comes the idea that the frontier should always be expanding, including by seizing other countries' territory. "We're taking it back," Mr Trump growled of the Panama Canal, in his inaugural speech. America must be "a growing nation", he added, one that "increases our wealth, expands our territory". Although this might reflect a passing enthusiasm, presidents have not talked like that for a century. The only one of his predecessors Mr Trump spent any time on in the speech was that "great president" William McKinley, whose term began in 1897. Mr Trump is not a reader of presidential biographies. He is not about to make bimetallism the issue of the day (though both he and the first lady do now have their own competing currencies). But it was a revealing choice.

McKinley was an imperialist, who added Hawaii, Guam, the Philippines and Puerto Rico to American territory. McKinley also loved tariffs, at least at first. Before he was president, he pressed Congress to pass a bill to raise them to 50%, a level exceeding even [Mr Trump's \(admittedly hazy\) plans](#). He was also backed by the

commercial titans of the time: J.P. Morgan and John D. Rockefeller both donated about \$8m in today's money to his campaign.

The new "golden age" Mr Trump envisions thus resembles the Gilded Age, at least superficially. Mr Trump wants to be as unencumbered by 20th-century norms as McKinley was. But the 21st-century presidency is much more powerful. Project 1897 is combined with Project 2025.

McKinley governed when the federal government had 150,000 employees, many fewer than the new Department of Government Efficiency could ever dream of. By contrast Mr Trump's executive branch directly employs 4.3m people, including 1.3m men and women in uniform. The president has at his disposal the mightiest military force ever assembled. As a share of GDP, the federal government spends nine times more than it did in the 1890s. In order to fight two world wars and end racial segregation in the 20th century, the executive branch accumulated more and more power. Writing about this in the 1970s, Arthur Schlesinger described this presidency as "imperial". It was meant as a slur: the modern America didn't do empire. Yet now it has an imperial president who spies enemies to conquer not only abroad, but at home, too.

Mr Trump means to turn the presidency's immense power inward as well as outward, to dominate America as no other president has since the second world war. Politics is in his favour. As America has become more partisan, passing laws in Congress has become harder. The new president showed in his first term that, when Congress is evenly divided, the threat of impeachment no longer works as a practical restraint.

This long power shift away from Congress has left the court and the executive in charge. Key rules on abortion, climate change, affirmative action, campaign finance and free speech have been set by the president or the justices. It was the Supreme Court which decided that presidents are immune from prosecution for official acts which, say, means that any meme coins launched by a president before he takes office won't trouble the emoluments clause.

That sets up a clash between Mr Trump and his felt-tip pens on one hand and the judges and their gavels on the other. As the new administration tests how far it can stretch the law—deploying the army against "invading" immigrants, or turning the Justice Department against Mr Trump's foes—court battles are inevitable. Mr Trump appears to relish the prospect. His executive order seeking to end birthright citizenship is flagrantly unconstitutional and so likely to be struck down. But if it is, Mr Trump will claim that the robe-wearing elites are thwarting the will of the people who elected him. His supporters will rally round—and he will pick another fight.

Today's McKinley in a state of Denali

Mr Trump is not unusual in wanting to extend the power of the executive—many ambitious (and some great) presidents have done so. Neither is he sure to win. The courts are not the only obstacle. Try as he might to disrupt and intimidate the bureaucracy, it is supremely good at delay. States and cities run by Democrats will resist him. He will have to contend with divisions in his team, with his own character, and with reality.

Mr Trump has proved adept at tearing down the old order, but it is unclear what will replace it. The hope is that he will keep his vows to make America's government more efficient, its economy more vibrant and its borders secure. But a far worse outcome is also plausible. Either way, America's remaining checks and balances are about to be tested.■