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**We’ve Officially Entered the Next Phase of Trump’s Dictatorship Era**

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The Trump administration pushed forward into a new phase of the rolling national constitutional crisis over the weekend, reportedly defying two different federal court orders imposing limits on its deportation of immigrants without due process. First, immigrant authorities [deported Rasha Alawieh](https://www.nytimes.com/2025/03/16/us/brown-university-rasha-alawieh-professor-deported.html), a kidney transplant specialist at Brown University, despite [a judge’s Friday order](https://www.axios.com/2025/03/16/judge-trump-admin-deported-doctor-despite-order) halting her removal. Second, authorities deported about [250 Venezuelan migrants](https://www.npr.org/2025/03/16/g-s1-54154/alien-enemies-el-salvador-trump), flouting another judge’s [explicit directive](https://abcnews.go.com/US/trump-admin-ignores-judges-order-bring-deportation-planes/story?id=119857181) to turn around American planes that hadn’t yet landed in El Salvador, where the migrants were being sent. The Justice Department claimed that it could not comply with the order barring Alawieh’s removal because it arrived too late. But the White House [defended](https://www.axios.com/2025/03/16/trump-white-house-defy-judge-deport-venezuelans) its defiance of the order prohibiting deportations of Venezuelans, insisting that the judge [had no jurisdiction](https://www.nytimes.com/2025/03/16/us/politics/trump-venezuelans-deportations-el-salvador.html) over the migrants—and that Trump holds absolute, unreviewable constitutional authority to expel noncitizens.

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Taken on their own, these claims would be chilling enough. But they were coupled with another novel late-night claim of presidential power: On Monday, Donald Trump [purported to reverse](https://www.nbcnews.com/politics/donald-trump/trump-says-bidens-pardons-jan-6-committee-are-void-used-autopen-rcna196670)President Joe Biden’s pardons of Jan. 6 committee members. In a Truth Social [post](https://truthsocial.com/@realDonaldTrump/posts/114175908922736427) that came just after midnight, Trump claimed the pardons are now “VOID, VACANT, AND OF NO FURTHER FORCE OR EFFECT,” asserting the power to undo their clemency because Biden allegedly signed it “by Autopen.” (It is [the official position](https://www.justice.gov/file/494411/dl?inline) of the executive branch, unchallenged by the courts, that autopen qualifies as a valid presidential signature.)

Taken together, these actions and declarations amount to a significant escalation in Trump’s transformation of his own presidency into an autocracy or, perhaps more accurately, a [monarchy](https://slate.com/news-and-politics/2025/02/king-donald-trump-american-1641.html). His Justice Department has taken vague claims of “Article II authority” to new extremes, ascribing to him an unchecked right to expel immigrants with no semblance of due process—and as[his defenders](https://www.mediaite.com/news/trump-spox-lashes-out-over-judges-blocking-trump-in-white-house-driveway-rant/) have [asserted all weekend](https://bsky.app/profile/atrupar.com/post/3lklgjbbqio2w), to ignore lawful court orders that stand in his way. Meanwhile, Trump himself has made it clear that this extreme and dangerous new vision of executive power does not apply to *the*presidency, but only *his*presidency: It is not a set of neutral principles, but an ever-evolving pretext for his own personal whims and cruelties, dressed up in legalese concocted by the conservative legal movement for precisely this purpose.

It’s clear by now that when the second Trump administration tests the limits of the law, it prefers to create enough chaos and confusion to cloud the true extent of its lawbreaking. That’s evidently what happened when it raced to expel Rasha Alawieh, a Lebanese immigrant who specializes in kidney transplants. Alawieh has a valid visa to work at Brown Medicine, but immigration officers detained her anyway on Thursday and began rapidly preparing for her removal. We still do not know the basis for this deportation.

Alawieh’s lawyers asked a court to intervene, and Judge Leo Theodore Sorokin promptly barred her deportation in an order signed Friday. (Many of the relevant court documents are not available to the public.) But agents forced her out of the country anyway. Alawieh’s lawyers accused the government of “willfully” disobeying the court’s order, prompting Sorokin to [demand an explanation](https://s3.documentcloud.org/documents/25589133/sorokin_filing.pdf). The Justice Department then [averred](https://www.courtlistener.com/docket/69741237/chehab-v-noem/) that it did not notify customs officers at Boston’s airport quickly enough to stop Alawieh’s placement on a plane to Lebanon. The official explanation, then, is that the administration did not *defy*Sorokin’s order, but rather moved too fast for the judicial process to stop the deportation.

The administration provided no such excuse for its deportation of Venezuelan migrants to a prison in El Salvador. Trump [purported to expel](https://slate.com/news-and-politics/2025/03/donald-trump-sister-mahmoud-khalil-abduction.html) these individuals under the[Alien Enemies Act](https://www.stevevladeck.com/p/132-five-questions-about-trumps-alien)of 1798, [accusing them](https://apnews.com/article/trump-venezuela-el-salvador-immigration-dd4f61999f85c4dd8bcaba7d4fc7c9af) (without clear evidence) of belonging to a gang. The American Civil Liberties Union went straight to court on Saturday, and [at 6:52 p.m.](https://www.justsecurity.org/109173/timeline-flight-el-salvador-judge-order/) that day, Judge James Boasberg ordered the administration to halt the deportations. From the bench, Boasberg [declared](https://www.cnn.com/2025/03/15/politics/judge-blocks-trump-wartime-authorities-alien-enemies-act/index.html): “Any plane containing these folks that is going to take off or is in the air needs to be returned to the United States. … This is something you need to make sure is complied with immediately.”

His order was not complied with. Instead, as the ACLU [has shown](https://storage.courtlistener.com/recap/gov.uscourts.dcd.278436/gov.uscourts.dcd.278436.21.0.pdf), migrant flights that were already “in the air” did not return to the U.S. [According to Axios](https://www.axios.com/2025/03/16/trump-white-house-defy-judge-deport-venezuelans), administration officials debated whether to turn the planes around. They decided not to, “on advice of counsel,” who reportedly said “the order is not applicable” because “they were already outside U.S. airspace.” (That is [not a remotely plausible reading](https://storage.courtlistener.com/recap/gov.uscourts.dcd.278436/gov.uscourts.dcd.278436.21.0.pdf) of Boasberg’s order.) El Salvador’s president then tweeted a story about the court order with the comment “Oopsie … Too late,” which Secretary of State Marco Rubio [retweeted](https://www.nytimes.com/2025/03/16/us/constitutional-crisis.html). White House press secretary Karoline Leavitt later contended that the administration did not “refuse to comply,” but rather that the order “had no lawful basis” and was issued after the migrants “had already been removed from U.S. territory.” Again, as the ACLU has [pointed out](https://storage.courtlistener.com/recap/gov.uscourts.dcd.278436/gov.uscourts.dcd.278436.21.0.pdf), Boasberg’s order expressly applied to migrants already en route to El Salvador. So the White House did, quite clearly, defy the order, on the grounds that it could unilaterally conclude its requirements were not “lawful.”

If that is sufficient reason to disobey a court ruling, then all judicial rulings are merely advisory, or just suggestions, and the three coequal branches of government have been replaced by an elected monarch. That might sound like an exaggeration, but it aligns with the Justice Department’s disturbing filings in this case. DOJ lawyers have [argued](https://storage.courtlistener.com/recap/gov.uscourts.cadc.41844/gov.uscourts.cadc.41844.01208720416.0.pdf) that Trump does not even *need*the Alien Enemies Act of 1798 to order these deportations: Rather, he has an “inherent Article II authority to protect the nation” by determining that an immigrant “represents a significant risk to the United States” and “should be summarily removed from this country.” DOJ derives this claim to such alleged powers from the president’s “authority to repel” an “invasion” and “conduct foreign affairs” without judicial oversight. “Federal courts have no authority” to second-guess the executive’s declaration of an “invasion” or to hinder his response, government lawyers wrote, including the unilateral expulsion of migrants he personally dislikes. This sweeping power, DOJ has [concluded](https://storage.courtlistener.com/recap/gov.uscourts.dcd.278436/gov.uscourts.dcd.278436.19.0_2.pdf), deprived Boasberg of jurisdiction over the migrants, rendering his orders null and void.

Trump’s astonishing claim of authority would render the other two branches of government purely advisory in the [entire field of immigration enforcement](https://snyder.substack.com/p/the-evil-at-your-door?utm_medium=web). Congress’ decades of extensive legislation detailing which immigrants can be detained and deported, and under what circumstances, would amount to meager recommendations that the president could disregard.  Under this construction of executive authority, court orders attempting to enforce those laws—or even bedrock constitutional protections—would be similarly voluntary. As Steve Vladeck [has noted](https://www.stevevladeck.com/p/132-five-questions-about-trumps-alien), no Supreme Court precedent remotely backs up this startling theory that Trump has “categorically unreviewable” power over foreign affairs that includes the right to identify, detain, and deport specific immigrants over judicial objections.  The best support comes from a solo 2015 opinion by Justice Clarence Thomas that even Justice Antonin Scalia [ridiculed](https://supreme.justia.com/cases/federal/us/576/13-628/case.pdf) as promoting “a presidency more reminiscent of George III than George Washington.”