

This is a coup': Trump and Musk's purge is cutting more than costs, say experts

In slashing liberal staff and disabling entire agencies the administration is lacerating the structures of US democracy

Peter Stone *in Washington*

Donald Trump and Elon Musk's radical drive to slash billions of dollars in annual federal spending with huge job and regulatory cuts is spurring charges that they have made illegal moves while undercutting congressional and judicial powers, say legal experts, Democrats and state attorneys general.

Trump's fusillade of executive orders expanding his powers in some extreme ways in his cost-cutting fervor, coupled with unprecedented drives by the Musk-led so-called "department of government efficiency" (Doge) to slash many agency workforces and regulations, have created chaos across the US government and raised fears of a threat to US democracy.

Trump and Musk have also attacked judges who have made rulings opposing several of their moves after they ended up in court, threatening at least one with impeachment and accusing him of improper interference.

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“In the US, we appeal rulings we disagree with – we don’t ignore court orders or threaten judges with impeachment just because we don’t like the decision. This is a coup, plain and simple,” Arizona’s attorney general, Kris Mayes, said.

Trump and Musk, the world’s richest man and Trump’s largest single donor, now face multiple rebukes from judges and legal experts to the regulatory and staff cuts they have engineered at the treasury department, the US Agency for International Development and several other agencies.

Incongruously, as Trump has touted Musk’s cost-cutting work as vital to curbing spending abuses, one of Trump’s first moves in office last month was to fire 17 veteran agency watchdogs, known as inspectors general, whose jobs have long been to ferret out waste, fraud and abuse in federal departments.

Those firings were done without giving Congress the legally required 30 days’ notice and specific justifications for each one, prompting mostly Democratic outrage at Trump’s move, which he defended as due to “changing priorities”, and falsely claimed was “standard”.

In response to the firings, eight of those inspectors general filed a lawsuit against Trump and their department heads on Wednesday arguing their terminations violated federal laws designed to protect them from interference with their jobs and seeking reinstatement.

The IGs who sued included ones from the Departments of Defense, Education and Health and Human Services.

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People gather to protest outside the federal district court in New York for the start of a case against the 'department of government efficiency' on Friday. Photograph: Justin Lane/EPA

Democratic critics and legal experts see Trump's IG firings and Musk's Doge operation as blatant examples of executive power plays at the expense of Congress and transparency.

"I think their claims that they're going after waste, fraud and abuse is a complete smokescreen for their real intentions," said Democratic senator Sheldon Whitehouse of Rhode Island.

Likening Trump's firing of the IGs to "firing cops before you rob the bank", Whitehouse stressed: "It's pretty clear that what's going on here is a very deliberate effort to create as much wreckage in the government as they can manage with a view to helping out the big Trump donors and special interests who find government obnoxious in various ways."

On another legal track opposing Trump and Musk's actions, many of the nation's 23 Democratic state attorneys general have escalated legal battles against Doge's actions and sweeping cost cutting at treasury, USAid and other agencies.

For instance, 19 Democratic AGs sued Trump and the treasury secretary in February to halt Doge from accessing sensitive documents with details about tens of millions of Americans who get social security checks, tax refunds and other payments, arguing that Doge was violating the Administrative Procedures Act. The lawsuit prompted a New York judge on 7 February to issue a temporary order halting Doge from accessing the treasury payments system.

In response, Musk and Trump lashed out by charging judicial interference. Musk on his social media platform Twitter/X where he has more than 200 million followers charged that the judge was "corrupt" and that he "needs to be impeached NOW".

Trump, with Musk nearby in the Oval Office on Tuesday, echoed his Doge chief saying: "It seems hard to believe that a judge could say, 'We don't want you to do that,' so maybe we have to look at the judges because I think that's a very serious violation."

Legal experts, AGs and top congressional Democrats say that Trump's and Musk's charges of improper judicial interference and some of their actions pose dangers to the rule of law and the US constitution.

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A supporter of federal workers holds a sign near the US Capitol in support of federal workers on Thursday. Photograph: Sue Dorfman/Zuma Press Wire/Rex/Shutterstock

“The president is openly violating the US constitution by taking power from Congress and handing it to an unelected billionaire – while Elon Musk goes after judges who uphold the law and rule against them,” said Mayes.

Ex-federal prosecutors echo some of Mayes’s arguments.

“The suggestions by Trump, Musk and Vance that courts are impermissibly interfering with Trump’s mandate to lead is absurd,” said the former federal prosecutor Barbara McQuade, who now teaches law at the University of Michigan.

“Under our constitutional separation of powers system, each co-equal branch serves as a check on the others. The role of the courts is to strike down abuses of executive power when it violates the law. Comments

disparaging the courts seems like a dangerous effort to undermine public confidence in the judiciary. If people do not respect the courts, they will be less inclined to obey their orders.”

Likewise, some former judges worry that certain judges could face violence sparked by the threats Musk and Trump have publicly made.

“While federal judges expect people to disagree with their opinions, I have long feared that personal attacks like those from Trump and Musk against at least one New York judge would expose them to harm and even death,” said the former federal judge and Dickinson College president, John Jones.

“Worse, judges are essentially defenseless when it comes to fighting the false narratives that are being promulgated because their code of conduct prevents them from engaging with the irresponsible people who make these statements.”

Legal experts too are increasingly alarmed about how Musk and Trump are exceeding their power at the expense of Congress, including some of the retaliatory firings by Trump against critics or perceived political foes.

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In one egregious case the IG for USAid, Paul Martin, on Tuesday was abruptly fired almost immediately after he issued a highly critical report warning of serious economic repercussions from the sweeping job cuts that Doge was making as it gutted agency staff.

Musk has blasted USAid, which doled out over \$40bn in congressionally authorized aid in 2023 and consummated \$86bn in private sector deals, as a “criminal organization” and an “arm of the criminal left globalists”. The agency’s mission is to provide humanitarian aid and fund development assistance and tech projects in developing countries.

“The firing of IG Paul Martin, a highly respected and experienced inspector general, on the day after his office released a critical report, risks sending a chilling message that is antithetical to IGs’ ability to conduct impactful independent oversight on behalf of the American taxpayer,” said the ex-defense department IG Robert Storch.

Storch, one of the 17 IGs Trump fired abruptly last month who has joined the lawsuit against the [Trump administration](#), stressed more broadly that “IGs play an essential role in leading offices comprised of oversight professionals across the federal government to detect and deter waste, fraud, abuse and corruption.”

A former IG, who requested anonymity to speak freely, warned bluntly: “Trump and Musk are gaslighting the American people. No one should believe Musk and his troops have actually discovered billions of dollars of

waste, fraud, abuse and 'corruption'. If they had, we would know the specifics. They can't provide them and they won't. At most, they have seen things that may need to be explained, but they haven't bothered to seek the explanation from anyone with relevant knowledge."

Despite rising concerns about the powers assumed by Musk, Trump unveiled a new executive order in the Oval Office on Tuesday expanding Musk's authority and mandate.

Trump's new order requires federal agencies to "coordinate and consult" with Doge to slash jobs and curb hiring, according to a White House summary.

All agencies were instructed to "undertake plans for large-scale reductions in force" and limit new hires to only "essential positions", according to the summary.

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Elon Musk stands behind Donald Trump at the Oval Office on Tuesday. Photograph:
Kevin Lamarque/Reuters

During the Oval Office meeting on Tuesday Musk spoke in grandiose terms about his mission with a few dubious and broad claims about frauds that it had uncovered, while declaring without evidence that it was what “the people want”.

Musk, the CEO of Tesla and SpaceX, which have received billions of dollars in federal contracts in recent years, is wielding his new federal authority as a “special government employee” without giving up his private-sector jobs. Musk’s post is a temporary one that bypasses some of the disclosure requirements for full-time federal employees.

As Musk’s powers have expanded and Doge has done work in more than a dozen agencies, 14 state AGs filed a lawsuit in federal court in DC on

Thursday broadly challenging Musk and Doge's authority to obtain access to sensitive government data and wield "virtually unchecked power".

The lawsuit argues that Trump violated the constitution's appointments clause by establishing a federal agency without Congress's approval.

At bottom, some legal experts and watchdogs say the threats posed by Musk's cost-cutting drive that Trump has blessed, are linked to the record sums that Musk gave Trump's campaign.

"After Musk reportedly spent close to \$300m to help Trump get elected, Trump has been giving Musk what appears to be unprecedented access to the inner levers of government, including private and confidential information about individuals," said Larry Noble, a former general counsel at the Federal Election Commission who now teaches law at American University.

"Musk and his followers can use that access to help Trump kill or neutralize congressionally created agencies and rules that serve and protect the public interest, while ensuring the government protects and serves the ability of the wealthy to grow their fortunes."

Other legal watchdogs fear more dangerous fallout to the rule of law from Trump's greenlighting Musk's Doge operation and agenda.

"President Trump has not only afforded Elon Musk and Doge extraordinary power over federal agency operations with little public oversight and accountability, but he has also done so at the expense of Congress and its constitutionally mandated power," said Donald Sherman, the chief counsel at the liberal-leaning watchdog group Citizens for Responsibility and Ethics in Washington.

“Trump enabled Musk’s capture of the federal government after illegally firing more than a dozen inspectors general despite Congress strengthening the laws protecting IGs less than three years ago ... ”

Sherman noted that “what’s even more troubling is that congressional Republicans have been more than willing to cede their constitutional powers in service of President Trump and Elon Musk’s political agenda.”