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Notes from editor (not for publication):

Hi, Tim — Sorry it's taken me so long to get to this amazing piece. I've checked all your quotes and found quite a number of them that weren't accurate. I'm happy to show my work if you would like. Where possible and practical, I've tried to link to the primary sources I found. The links should work in this proof and will be available to readers who see it on our website. Given that Trump has started bombing Venezuela in the interim, I'm anxious to get this into print before more time elapses. —With all the best for 2026, Jeff

HEADLINE ELEMENTS:

####BEGIN HED####

The coup matures

####END HED####

####BEGIN SUBHED####

We look at today's struggle to defend democracy by
exploring the existential war on the Constitution — in particular,
the heart and art of representative government, the destruction of
the legislative process

####END SUBHED####

TEXT BODY:

####BEGIN TEXT####

7 AFTER NEARLY five years of the Trump reign, the siege on
8 democracy intensifies. Citizens have learned much about the
9 intentions and the trajectory of the rebellion. This is not an
10 unconstitutional assault, it is an anticonstitutional assault.

11 The perpetrators of the coup have also learned a great
12 deal about organizing and escalating their crusade against
13 democracy.

14 Who would have thought we would be facing the
15 democratic struggle of our lifetime? Well, actually, large sectors
16 of our society are all too familiar with this battle — the
17 historically marginalized have always fought to win the fruits of
18 democracy. The Constitution never explicitly mandated economic
19 or political rights for all. Throughout history people achieved
20 their basic rights by relentless and at times conflict.

21 The doctrinal system choreographed by political and
22 economic elites hoodwinked about 30% of adults into believing
23 a willfully ignorant, narcissistic buffoon would protect their
24 interests.

25 Now combine these manufactured perceptions with the
26 barbaric reality that this rich country has never afforded all
27 people access to the power needed for real advancement.

28 A toxic storm brews. Into the cauldron mix a large,
29 economically vulnerable population, an unresponsive and
30 corrupt political system, and a carnival-barking demagogue, and
31 the consequences are obvious.

32 Malevolent leaders and a malignancy in the system
33 produces an authoritarianism that could metastasize into an
34 American-style fascism. In 1919, Irish poet William Butler Yeats
35 [wrote](#) about his country's struggle for democracy against British
36 imperialism.

37 "Things fall apart: the centre cannot hold," he wrote.
38 "The best lack all conviction, while the worst / Are full of
39 passionate intensity."

Madison's nightmare

THE FOUNDERS CONSTRUCTED a new form of government, one with appreciable democratic attributes, albeit with limited public participation. Just ask the enslaved and Indigenous people, women, and members of other assailed classes.

These men of "property and standing" curiously were interested in the vagaries of human nature in particular virtue as it related to a new republican form of government. As such, a dialectic was formulated about the role of morality in the public sphere (the government) and the private sphere (citizens).

To account for human nature, the founders felt that virtuous leaders would be needed to influence and guide citizens, thereby ensuring a virtuous society, which James Madison [said as much](#), doubting there would be "sufficient virtue among men for self government," and that "nothing less than the chains of despotism can restrain them from destroying and devouring one another." He [continued](#) that a constitution requires rulers who possess "most wisdom to discern, and most virtue to pursue, the common good of the society."

This brings us to what I call "Madison's Nightmare": Is it possible to create a republican government that could withstand the depredations of genuinely despotic leaders?

The founders were a nervous but optimistic bunch. They supported Benjamin Franklin's [plea](#) at the end of the Constitutional Convention the hope that every member would "doubt a little of his own Infallibility" as such they ratified a constitution they believed would promote public and private virtue.

The constitution bends to the coup

THE CONSTITUTION WAS a pioneering and bold experiment, especially in those dark days of monarchy, but it was

72 also plagued by undemocratic characteristics. Any fair appraisal
73 recognizes its reliance on imperialism, slavery, the primacy of
74 private property, sexism, racism, and classism.

75 Essential features lauded as Enlightenment constructs —
76 the social contract, popular sovereignty, separation of powers,
77 and checks and balances — have always been stronger in
78 concept than reality. History has eroded these foundational
79 principles and now with this coup is destroying them:

80 • *The social contract is in default.* The founders' theorist,
81 John Locke, devised a deal: that the government would provide
82 order and security in exchange for citizen loyalty and
83 compliance. This contract is in default, as the government cannot
84 or will not provide the security of opportunity for citizen
85 development.

86 • *Sovereignty isn't so popular:* Consent of the governed
87 is no longer required. There is a crucial disconnect between what
88 citizens need and what the government is willing to provide.
89 Basic needs — health, housing, employment, environmental
90 protection, and civil rights — go unsatisfied.

91 • *Powers are no longer separated.* The corporate and
92 political state are joined at the wallet by mutual interests. Do the
93 wealthy elites not have a louder political voice to determine
94 policies in each branch of government? And don't these
95 interlocking interests blunt the independence of each branch?

96 • *Checks don't balance.* The rule of law is flouted with
97 galling impunity. Congressional oversight, funding control, advice
98 and consent, and oversight are seriously compromised or outright
99 ignored.

100 The coup reveals systemic vulnerabilities. Retired Federal
101 Appellate Judge J. Michael Luttig, has [decried](#) the "end of the rule
102 of law" and has [explained](#) how the Constitution "never
103 contemplated and therefore didn't ever provide for process and
104 mechanisms to withstand an attack from within."

105 So Madison's nightmare haunts us.

The long train of abuses

IN THE Declaration of Independence, Thomas Jefferson enumerated a “long train of abuses”: 27 specific grievances against King George. Today the people’s grievances are with a political economy that serves elite interests first and foremost, and with an oligarch masquerading as a champion of the people and democracy.

As Noam Chomsky reminds us, Adam Smith in his 1776 study, *The Wealth of Nations*, warned about the “masters of the universe,” the elite corporate class who naturally align with the political elite to run a country. They hold to a “vile maxim”: “All for ourselves and nothing for other people.”

Today in our country the vile maxim manifests itself in warped budget priorities that give record tax breaks to the rich while ignoring basic human needs. Since the 1980s, [according to the Rand Corporation](#), there has been a \$50 trillion transfer of wealth from the bottom 90% to the top 1%.

How is this remotely a democratic arrangement?

The Trump/Republican coup is ravaging the abilities of our leaders of virtue to defend the constitutional principles that protect us from antidemocratic impulses.

The coup overseers are deliberately sabotaging traditional legislative functions in two distinct, treacherous ways: by the short-circuiting or bypassing of traditional lawmaking, and by destroying the congressional hearing oversight process.

Short-circuiting lawmaking

The Constitution gives the president vague and expansive power to declare an emergency. By doing so, some 125 statutory powers are unlocked for the president’s use or misuse.

This empowers an autocrat to declare an emergency, then sign an executive order that bypasses the will of Congress. Trump has signed a stunning 446 executive orders (as of Jan. 2), far outdoing his immediate predecessors.

139 These orders, among others, have abolished historic
140 agencies, imposed executive tariffs, and authorized the sacking of
141 thousands of civil servants without due process, all the while
142 ‘saving’ Americans from subversive “DEI and woke” policies.

143 Another procedure for circumventing Congress is using
144 impoundments, the illegal refusal to spend congressionally
145 authorized funds. Coup kingpins also detour Congress by using
146 “pre-fab” — canned legislation written by corporate shills like the
147 American Legislative Exchange Council and The Heritage
148 Foundation.

149 Heritage’s [Project 2025](#) comprises a substantial portion
150 of the Trump agenda. These right-wing entrepreneurs design bills
151 to get government interference like national health care, public
152 schools, civil and voting rights, and unions off our backs.

153 Another innovation in autocracy is the establishing of a
154 shadow government within the government, then hiring a
155 corporate mogul, Elon Musk, to drive it. DOGE, the Department
156 of Government Efficiency, is a gleefully cruel scheme to eliminate
157 human service programs, fire thousands of civil servants, and
158 “shrink government to the size where I can drag it into the
159 bathroom and drown it in a bathtub,” as croaked Grover
160 Norquist, a Republican strategist who first surfaced during the
161 Reagan era.

162 The despots also circumvent normal legislating by
163 concocting omnibus bills, each a massive stew of taxing-and-
164 spending initiatives too comprehensive and complex for human
165 digestion. Then they fast-track a vote with little opportunity for
166 debate. The “Big Ugly” [budget bill](#) of 2025 was 1,118 pages and
167 given to U.S. representatives less than 24 hours before the vote.

168 **The dismantling of** 169 **congressional oversight**

170 A VITAL ELEMENT in the lawmaking process is Congress’s
171 power to conduct oversight, hearings, and investigations. This is

172 where the “loyal opposition” should be able to exert influence on
173 policy. Today, the Republican strategy is obvious: Throw a
174 monkey wrench at these duties of accountability.

175 Trump handmaidens — Attorney General Pam Bondi, FBI
176 Director Kash Patel, Secretary of Defense Pete Hegseth, and
177 Health and Human Services Secretary Robert Kennedy Jr., et al.
178 — arrogantly engage in a circus of noncompliance when they are
179 called to testify before Congress. These toadies offer non-answers,
180 ad hominem attacks, and audacious lies.

181 Congressional oversight powers are so mutilated that
182 even diligent and effective Democratic watchdogs — Rep.
183 Elizabeth Warren, Rep. Jamie Raskin, Sen. Bernie Sanders, Rep.
184 Elissa Slotkin, Sen. Adam Schiff, to name some — are now
185 reduced to mere eloquent barking. Thus, the opposition’s
186 oversight powers are fatally neutralized.

187 Coercion, decrees, mandates, and shakedowns replace
188 analysis, debate, and compromise — the usual ingredients for
189 legislating. As Maureen Dowd of *The New York Times* [observed](#),
190 Trump “wants to rule, not govern.”

191 By undermining core constitutional legislative processes,
192 authoritarianism supplants democracy, thereby clearing a path to
193 fascism.

194 Is the recent past to be 195 prologue?

196 HISTORIC AND CONTEMPORARY flaws in our political
197 economy, combined with tyrannical leaders, have culminated in
198 the crisis of our lifetime. The structural guardrails are corroded,
199 and leaders of good will struggle to restore what is lost.

200 This, the wealthiest country in the world, has never
201 adequately addressed the basic security needs of large sectors of
202 our population. Predictably, then, our most vulnerable citizens
203 searching for better opportunities become susceptible to the

204 conjurings of a demagogue and to the manipulations of an
205 increasingly unregulated economic and media ecosystem.

206 While never a vigorous representative democracy, this
207 system has intermittently and begrudgingly responded to citizen
208 initiatives to force the country to live up to its founding ideals. The
209 real genius here is the people's irrepressible desire for justice, not
210 the ability of a government to withstand leaders who lack virtue.

211 The struggles of our people to win an equal place in
212 society represents the most dynamic and honorable expressions
213 of democracy we have. This country is its most democratic when
214 we fight for it.

215 Today, an impressive percentage of the population is
216 heeding the [familiar warning](#): "The only thing necessary for the
217 triumph of evil is for good people to do nothing."

218 Across the nation, good people are committed to
219 defending and extending democracy. In these perilous times, the
220 rapid and broadening resistance to the Trump/Republican coup
221 can accelerate the reclaiming and reimagining of democracy in
222 the United States — or, as Yeats wrote, where a "terrible beauty is
223 born."

####END TEXT####

BIO/COATTAIL:

####BEGIN BIO/COATTAIL####

224 **TIM KIPP**, retired history teacher of 39 years, has been a
225 political activist since the 1960s, including draft and tax
226 resistance, civil rights, and anti-war organizing. He is one of the
227 founders of the Vermont Progressive Party, has been a longtime
228 field organizer for U.S. Sen. Bernie Sanders, and is currently
229 active with the Vermont Indivisible movement.

####END BIO/COATTAIL####

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