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**Notes from editor (not for publication):**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#####

<sup>1</sup> The coup matures

#####END HED#####

#####BEGIN SUBHED#####

<sup>2</sup> We look at today's struggle to defend democracy by  
<sup>3</sup> exploring the existential war on the Constitution — in particular,  
<sup>4</sup> the heart and art of representative government, the destruction of  
<sup>5</sup> the legislative process

#####END SUBHED#####

<sup>6</sup> 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 unconstitutional 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."

## 40 Madison's nightmare

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

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

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

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

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

## 68 The constitution bends to the 69 coup

70 THE CONSTITUTION WAS a pioneering and bold  
71 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.

## 106 The long train of abuses

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

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

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

123 How is this remotely a democratic arrangement?

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

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

## 131 Short-circuiting lawmaking

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

135 This empowers an autocrat to declare an emergency,  
136 then sign an executive order that bypasses the will of Congress.  
137 Trump has signed a stunning 446 executive orders (as of Jan. 2),  
138 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 crooked 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 county 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:

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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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