

Opinion | Trump Is in Open Revolt Against the Constitution

Jamelle Bouie

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So far, the president's plot to subvert the integrity of the midterm elections looks like this.

Issue a rule requiring states to give lists of mail-in voters to the Postal Service if their citizens hope to receive mail-in ballots. Knowing that this is a blatantly unconstitutional seizure of the states' prerogative to run their own elections, count on a federal court to block the rule. Then challenge the injunction, arguing — under the Supreme Court's "[Purcell principle](#)" — that it is too late to make any adjustments to voting procedures, and that the new rules should be treated as the status quo. Then hope that the Supreme Court accepts the argument that the new rules are the status quo and therefore can't be blocked.

This would leave states that rely on mail-in voting scrambling to accommodate the new rules, leading to the kind of chaos that might keep voters from casting a ballot in the first place. And in states that reject the rules, the administration can tar the results as fraudulent. None of this would stop the public from electing a Democratic majority, but it could give that majority the taint of illegitimacy — and even tee up a situation where new members are challenged in the next session.

It is important to say that there is no way to know, at this point, if any of this will actually work in the end. But it clearly is the plan.

To wit, earlier this week the Supreme Court paused a lower court injunction on the proposed ballot rule, writing that it had not been formally issued yet by the U.S.P.S., so the states that sued could not demonstrate harm. Since then, the Postal Service has issued its rule and a Federal District Court has issued a temporary restraining order, blocking implementation. The administration has appealed this decision, and the Supreme Court is set to hear the case on the merits in a number of weeks, if not days.

From there, the court will have to decide whether it will follow the Constitution — which clearly leaves election administration to the states, unless Congress intervenes — or contrive again to contort the law and give the president a win, allowing him to pursue his irrational crusade against mail-in voting and giving him the tools — if not to sabotage the midterms outright — then to create chaos and disruption.

I would not put much faith in the Supreme Court, but we'll see what happens.

The details of what is happening here are important — that's why I laid them out — but it's also important to step back and make a more fundamental point: the president of the United States is engaged in a conspiracy against the voting rights of the American people, which is to say that the president is engaged in a conspiracy against the Constitution itself. And this is part of a larger effort, spearheaded by the most fanatical of his allies, like Stephen Miller, to end the American republic and supplant it with an authoritarian regime in which President Trump holds sovereign authority over the whole nation.

It is important to say, as well, that this is all out in the open, as plain as day.

Life under Trump during his second term is defined by the aggressive use of unaccountable executive power, from illegal taxes — in the form of tariffs — and wars to the military occupation of American cities and a roaming deportation force used to terrorize entire communities. Thousands of people have

been kidnapped in the street and whisked away to squalid detention centers, where dozens have died. Many thousands more, including some American citizens, have been deported, [sometimes to countries they've never seen or visited in their lives](#).

The president has wielded his power against colleges and universities in a concerted effort to destroy the nation's capacity for scientific research and weaken any institution capable of generating independent knowledge.

The administration continues to assault the First Amendment: both the freedom of assembly and the freedom of the press. Not a single member of this White House appears to believe in the public's First Amendment rights or in its right to choose its own political leadership.

The attitude of the president and his advisers is that the 2024 election was an enabling act for a constitutional revolution, in which rule by the people was replaced by the *Führerprinzip*.

That the intent is clear does not mean it is the reality on the ground. I believe Trump has failed to accomplish authoritarian consolidation. But he has ripped an enormously damaging Trump-size hole in the constitutional order, and a future president with autocratic designs will have every tool he needs to push the envelope even further.

That's why, should Democrats capture a majority, they must make the reconstruction of the American political order their first priority. That includes an impeachment trial against President Trump, if only to emphasize the gravity of his conspiracy against the Constitution.

Americans hate the idea of looking back. But we have to if we want any hope of moving forward.

What I Wrote

[My column this week](#) was on the president's monarchical pretensions:

It is practically cliché at this point to observe that President Trump is jealous of the trappings of monarchy. He has draped the Oval Office in gold, gilded the statues and monuments that mark the landscape of Washington D.C., pledged to build an enormous triumphal arch in his name and destroyed a large part of the White House to build an opulent presidential ballroom of immense size.

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