

ANALYSIS

A Year of Challenge and Hope for American Democracy

As our Constitution is tested, citizens respond.



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Government Power

*You're reading The Briefing, Michael Waldman's weekly newsletter. Click [here](#) **[link-1]** to receive it in your inbox.*

He put his *name* on the *Kennedy Center*?! That I don't have to tell you who "he" is or what this is about speaks volumes about 2025, in its dangers and absurdity.

Throughout its history, the nation has seen war and economic

upheaval. But rarely has it subjected itself to such a protracted, preventable crisis of governance. The Constitution and democracy have been tested in remarkable ways.

Yet at year's end, there's reason for hope. The laws of political gravity have not been repealed. Abuse has been met with response. I want to tell you what the Brennan Center has been doing and what we see

coming next. We will discuss all this on [our podcast](#) [\[link-2\]](#) as well.

Presidential power is the great constitutional issue of 2025: Troops in the streets. The shutting down of key agencies, such as USAID, without congressional authorization. The firing of independent agency leaders. Masked, armed immigration agents raiding cities. And more.

This epic power grab has not gone unchallenged. Dozens of courts have stymied these moves. Grand juries and judges have blocked attempts to bring political prosecutions. The Brennan Center wrote or coordinated dozens of briefs in these cases as part of a robust litigation response by a broad coalition.

In all this, the U.S. Supreme Court has fallen far short. It has given the president permission for abuse. Nearly every time, the supermajority led by John Roberts

allowed these expansions of presidential power to proceed, stealthily using the “shadow docket.”

Now comes one of the biggest cases of all. Can a president claim the power to unilaterally set worldwide tariffs? We filed five briefs in the cases challenging this move, and the Court may in fact block it. Let’s hope so.

Eventually, history will ponder all that happened in 2025. But here and now, voters must have the final say. So it’s vital that we have free and fair elections in 2026. For the first time ever, the federal government itself is [waging a broad campaign](#) [\[link-3\]](#) to undermine elections. That’s where the Brennan Center comes in. Donald Trump has his plan; so do we.

Our lawsuit blocked Trump’s executive order in which he purported to take personal control of elections. It also would have

effectively required citizens to produce a passport to register to vote using the federal form. The Constitution gives presidents no role in running elections.

The fight will go on all next year. When the federal government's election security apparatus was purged, we enlisted cybersecurity experts, law enforcement, and state and county election officials to prepare. We have worked with states to expose and respond to illegal demands for voter data. We are preparing for a potentially destructive Supreme Court ruling that could spark yet more racially discriminatory redistricting. We are getting ready to respond to a tsunami of fake news and disinformation that could discourage voters and cloud results.

If we all do our part, we can have free and fair elections in November.

But that cannot be enough. There is a palpable hunger for change. What

will the next political era bring?

Corruption has emerged as a major issue. Think of the remarkable tableau at the inauguration as the three wealthiest men in the United States, all tech moguls, sat in the front row. Over the past year, Trump has increased the net worth of his businesses by \$3 billion. Think of how the crypto and artificial intelligence industries now dominate Congress. It is a fusion of public power and private wealth alien to the American experience.

Our response must come through not only anger but action. The Brennan Center will publish our own proposals for how to respond to this wave of corruption. Expect to hear from us on voting and representation, Supreme Court reforms such as term limits, and constitutional change as well. We will put forward our ideas for how to strengthen Congress and restore checks and balances.

And we will work for reform in the states, where most policymaking on voting rights, criminal justice reform, and more happens.

These issues will help shape the next political era. We don't know how the story will end. But we do know that often reform follows scandal. It will be up to all of us to make sure that a time of turmoil and even despair is followed by a season of reform and renewal.

Pollsters describe an “exhausted middle,” caught between the small

fractions of the country that are either MAGA or leftist. I prefer an older term: I believe a vital center waits to be energized. Not with a tepid approach that measures the midpoint between left and right but with bold responses to current challenges.

This will be our mission heading into 2026 — to defend the democracy we love and make it stronger for generations to come. Happy New Year!

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Links

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link-2: our podcast <https://www.youtube.com/watch?v=r0FO7zBd2BQ>

link-3: waging a broad campaign <https://www.brennancenter.org/our-work/research-reports/trump-administrations-campaign-undermine-next-election>