



The 2026 Midterms: American Democracy or American Authoritarianism?

The battle between Trump, election officials, judges and journalists

Fall 2026

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Time: Thursdays: 4:00-5:30pm.

Dates: Sept. 24th, Oct. 1st, Oct. 8th, Nov. 19th, Dec. 3rd and Dec. 10th.

Location: 111 Thayer Street, McKinney Conference Room (353)

Overview: To Donald Trump's opponents, his attempt to takeover elections and discredit election officials, judges and journalists are an effort to create American authoritarianism. To Trump's supporters, claims that he is a threat to democracy are overblown. Trump, they say, is an activist president trying to halt voter fraud and defend democracy. For all Americans, the 2026 midterms are the most consequential, real-time test of American democracy in decades.

Over the course of the semester, this study group will debate, examine and discuss Trump's tactics before, during and after the midterms and how state election officials, judges and journalists respond to them. We will examine and debate which efforts by Trump are constitutional and which tactics undermine public trust in the election results. We will also examine which efforts by election officials, judges and the press increase trust in election results.

The first three meetings will focus on Trump's efforts before the midterms to sow doubt about the fairness of election officials, judges and journalists. The last three meetings will focus on Trump's efforts to undermine trust in the counting of the votes on November 3rd and subsequent court battles regarding the results.

Each session will have a guest speaker: a judge, journalist or election official, who will bring real-world experience and issues to the debate. Each session will discuss the latest developments in the midterm elections. Each session is a rare opportunity to investigate, debate and discuss the strengths and weaknesses of American democracy in real-time as the 2026 midterm elections unfold. The core goal of the study group will be to determine which actors — Trump, election officials, judges or journalists — are most effectively defending American democracy.

Bio: I'm a senior national security reporter for MS NOW, a two-time winner of the Pulitzer Prize and a 1990 graduate of Brown. Previously, I worked as an editor and reporter at NBC News, The New Yorker and Reuters. I also worked as a foreign correspondent for The New York Times and The Christian Science Monitor and covered the wars in Afghanistan, Iraq and Bosnia. I'm the author of five books, most recently, "[Where Tyranny Begins: The Justice Department, the FBI and the War on Democracy](#)." I live in New York with my wife, a 1991 Brown graduate, and our two daughters.

Session 1: Thursday, September 24th

Power grab by executive order? The President vs. The Judiciary

This session will focus on what critics contend is President Trump's attempt to use executive orders to amass more power than any president in U.S. history. They say the 277 executive orders that Trump has issued in his second term have changed the balance of power between the three co-equal branches of government, elevating the presidency over Congress and the judiciary.

Critics say that Trump, instead of seeking to enact legislation through Congress, uses executive orders to grant himself the unilateral ability to shutter government agencies, invoke wartime powers, conduct secret deportations, seize control of National Guard units from governors and unilaterally reinterpret the Constitution.

To date, 121 federal district judges, including 30 judges appointed by Trump and other Republican have ruled against the administration or declared their policies unconstitutional. Trump, in turn, has publicly attacked many of the federal judges who ruled against him, prompting a surge in death threats.

The session will review and debate two executive orders that capture the stakes of the 2026 midterm elections. The first is Executive Order 14248, which Trump signed on March 25, 2025: [Preserving and Protecting the Integrity of American Elections](#). This executive order vastly expanded the role of the president in election administration, which the Constitution says must be primarily conducted by state and local officials.

Critics said the order violates the Constitution, allows the president and his aides to take over election administration and decide who is allowed to vote. If enacted, presidents would administer elections that decide whether they are re-elected and whether their party controls Congress. Critics say such a system invites election fraud.

The second is Executive Order 14160, "[Protecting the Meaning and Value of American Citizenship](#)." The order unilaterally reinterprets the meaning of the fourteenth amendment to the Constitution. Adopted three years after the Civil War, the [14th Amendment](#) grants birthright citizenship to slaves and others born in the United States.

Three days after it was signed by Trump, Federal District Judge John Coughenour, an 84-year-old Reagan-appointee, ruled it unconstitutional. "I've been on the bench for over four decades. I can't remember another case where the question presented was as clear as this one is," he said in court. "This is a blatantly unconstitutional order."

Days after Coughenour ruled, heavily armed Sheriff's deputies arrived at his door and said they'd received a report the judge had murdered his wife. The judge explained to them that he had been swatted. In the days that followed, Coughenour received hundreds of death threats. Asked what he feared most about the future of the U.S., Coughenour replied, "Civil war." He added, "I don't think that's an exaggeration. We are looking at major upheaval."

Guest speaker: Judge John Coughenour will discuss his fears about the future of the rule of law and of democracy in the U.S. He will also take questions from students.

Reading:

The White House: [Executive Order 14248 Preserving and Protecting the Integrity of American Elections](#)

The White House: [Executive Order 14160 Protecting the Meaning and Value of American Citizenship](#)

The New York Times: [How Trump Is Pushing to Expand Presidential Power](#)

60 Minutes: [This federal judge ruled against Trump. Then the death threats rolled in.](#)

The Atlantic: [One Judge Makes the Case for Judgment](#)

Session 2: Thursday, Oct. 1st:

Address to the Nation on Election Security: The President vs. The Press

This session will focus on President Trump's July 16, 2026, prime time address to the Nation Election Security. Trump declassified and publicly released hundreds of heavily redacted intelligence documents that he said showed that China has acquired 220 million U.S. voter files" since 2020 and that U.S. intelligence officials had hidden it from him that from the American public.

Trump said other declassified documents showed that U.S. election infrastructure was "vulnerable" and "easily compromised." And he again alleged a cover-up, saying that "people within our government knew that."

Trump concluded the speech by stating that the U.S. election system was "dangerously" exposed to foreign interference and saying federal oversight was needed. Nearly all of Trump's claims, though, proved to exaggerated and false.

We will read Trump's address, review some of the redacted intelligence documents he released and discuss various attempts by the press to fact-check the speech. Members of the study group will be asked to describe which type of story they feel is the most effective way to counter Trump's false claims. We will then discuss polling by political scientists that measured whether the speech changed American's trust in the U.S. elections.

Guest speaker: Vaughn Hillyard, senior White House reporter MS NOW. Hillyard covered Trump's speech live and interviewed John Solomon, a right-wing journalist who pushed for the release of the classified documents, outside the White House after the speech.

Reading:

The White House: [Election Integrity Speech & Declassified Documents](#)

Wall Street Journal: [The SAVE America Act Backfire](#)

MS NOW: [Declassified documents undercut Trump's 'rigged' election claim](#)

MS NOW: [X post of Vaughn Hillyard's interview with John Solomon](#)

MS NOW: [TikTok on how three documents released by Trump disprove Trump's claims](#)

Session 3: Thursday, October 8th

The Postal Service and mail-in ballots: The President vs. Judges

This session will focus on one of the last legal battles to emerge in the weeks before the midterm elections. After multiple federal judges ruled Trump's March 2025 executive order, "[Protecting the Meaning and Value of American Citizenship](#)" unconstitutional, Trump issued a new, narrower executive order in March 2026: [Ensuring Citizenship Verification and Integrity in Federal Elections](#).

The order directed the Department of Homeland Security to create a list of all U.S. citizens who are eligible to vote and the U.S. Postal Service to decline to deliver ballots to people not it. As has occurred regarding other executive orders, a federal district judge, Indira Talwani of Massachusetts, ruled that Trump's attempt to assert federal control of mail-in voting via the U.S. postal service was likely unconstitutional and issued a temporary restraining order. The Trump administration appealed her ruling to the Supreme Court, which initially ruled in Trump's favor. Days later, Talwani again blocked Trump's executive order, again deeming it likely unconstitutional.

The Supreme Court will decide whether Trump's push to increase the executive branch's control of elections is constitutional. Critics say the Constitution bars presidents from administering elections that determine whether their party wins control of Congress and, in some cases, whether they win reelection. Skeptics say the new system invites corruption.

The study group will discuss whether Trump's effort to sow doubt in mail-in ballots and quality of state voter vetting has succeeded. In a surprising finding, research by a group of political scientists from Dartmouth College, the University of Chicago and the University of Rochester found that Trump's prime time speech did not shift American public opinion.

Many Americans continue to trust election result as of last August, according to the political scientists, who call their project "Bright Line Watch"—a reference to defending democracy. The study group will discuss the effectiveness of academic research in countering distrust in U.S. elections.

Guest speaker: Brendan Nyhan, political science professor at Dartmouth College and co-director of Bright Line Watch. Nyhan will describe the impact of the group's work in countering conspiracy theories and building public trust in election results.

Reading:

The White House: [Executive Order 14399: Ensuring Citizenship Verification and Integrity in Federal Elections](#)

SCOTUSBLOG: [Supreme Court allows Trump administration to move forward with order imposing restrictions on mail-in voting](#)

WSJ Editorial Board: [Trump, Mail Ballots and the Supreme Court](#)

NYT: [Judge Suggests Trump Mail-In Voting Rules Could Cause 'Major Disenfranchisement'](#)

MS NOW: [Trump effort to undermine confidence in elections makes little headway, new report finds](#)

FINAL THREE SESSIONS OF SEMESTER:

The exact focus of the final three sessions of the study group will change based on the results of the midterm election on November 3rd. The focus of each session below could change dramatically based on who wins the elections and whether the results are contested by Trump or Democrats.

Session 4: Thursday, November 19th

Election Day

This session will focus on the actions of President Trump, election officials, federal district judges and journalists on election day: Tuesday, Nov. 3rd. Democrats have warned for months that Trump may send DHS agents, FBI agents or active-duty military troops to polling places to reduce turnout or seize election machines and records.

Guest speaker: TBD

Session 5: Thursday, December 3rd

Certifying the vote

This session will focus on the actions of President Trump, state election officials, federal judges and the Supreme Court in the legal battles that unfold over the certification of the election results in the month of November. It will also focus on whether Trump disputes the midterm election results, as he refused to accept his loss in the 2020 presidential election.

Guest speaker: TBD

Session 6: Thursday, December 10th

Models for defending democracy

This session will involve students presenting to the group which tactics used by President Trump, election officials, judges and journalists were most effective in defending democracy.

Students will also discuss whether they feel American democracy or American authoritarianism won the 2026 midterms.

Guest speaker: TBD