

Has Trump killed US democracy?

Published: January 13, 2026, 12:32 am

Trump's 'Big Beautiful Bill' ends the chance of a President being held in contempt of US courts, and that means US democracy is over. What happens next?

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This is the transcript:

Is Donald Trump about to kill democracy in the USA? It's a question that has to be asked because Trump's One Big Beautiful Bill Act, which is his budget bill, which right now is in front of the House of Representatives in the US Congress, does include a clause which could literally destroy US democracy.

Now that's illogical, of course. A budget bill should not include a provision that kills democracy. But this one does, because Trump is in a hurry to get laws passed that give him ultimate power in the USA. And that's what he's doing with this budget clause, and it's so important that I am going to read it. It says:

"No court of the United States may use appropriated funds to enforce a contempt

citation for failure to comply with an injunction or temporary restraining order if no security was given when the injunction or order was issued".

Now that sounds a bit like gobbledygook, and in a very real sense, it is. But what it really means is this: no federal court in the USA may enforce a contempt action, and that's because they would need to use federal funds to do that, and they're being denied the right to use funds for that purpose.

And what that means is that if a court ruled that what Donald Trump is doing is illegal, and he then ignores them, which he has been doing, there will, in the future, be nothing at all that the court can do to enforce its ruling because it won't have access to the funds to do anything about what Trump is up to.

It follows then, quite simply, and quite straightforwardly, that if this piece of legislation, which looks like a budget provision, but which is actually driving a stake through the heart of US democracy, is going to give Trump exactly what he wants.

This innocuous-looking clause puts him above the rule of law in the USA.

It effectively makes him King Donald.

This is the end of the arrangements of constitutional balance that were meant to prevent abuse within the administration of US government.

This is, in fact, the end of constitutional law, because this is not constitutional, but Congress plans to pass it.

. And in that case, this means the end of democracy in the USA as it has been known, imperfect as it has been.

Trump can, if this law is passed, pursue who he wants, break any law that he wants, imprison anyone he wants, expel anyone he wants, and there will be nothing a court can do to stop him because even if they rule that what he does is unlawful, he can ignore them, knowing that they will have no power to actually enforce their decision.

As Robert Reich, the noted commentator on US current affairs, has put it, "With this single provision, Trump will have crowned himself king. No Congress and no court could stop him. Even if a future Congress were to try to stop him, it could not do so without the power of the courts to enforce their hearings, investigations, subpoenas and laws."

So, in other words, this doesn't only stop the courts from interfering with what Trump wants to do. It actually completely neuters Congress as well.

So what then if the midterm elections reject Trump? He can ignore what Congress says. This law will let him do that.

So what if he suspends elections, in fact, and the courts object? He can do that because there is nothing that the courts could do to enforce their decision if he decided to ignore them.

So what too, if he jails the judges who might still challenge him, even if they know that their orders can't be enforced, even if they just did this to represent the fact that there was something wrong? He can effectively suspend habeas corpus with regard to them, their right to be held without trial, and jail them. And there is nothing in that case that any court could do to stop him doing so.

It's 810 years since 1215. In that year, King John of England was forced by his barons to sign the Magna Carta. That absolutely pivotal document in the history of the development of democracy and constitutional government, limited royal prerogative, and made some rights inalienable.

In particular, there was a requirement that the rule of law be upheld.

Everyone, including the king, was declared to be subject to the rule of law.

The limitations on the arbitrary power of the monarch that were introduced were groundbreaking.

There were also protections of rights and liberties granted to people, albeit nobles, not ordinary people back then, but of course, this has extended over the centuries that have followed.

Certain basic legal rights were granted, and there was protection from illegal imprisonment. In other words, Habeas Corpus was put into place in England, as it has been in the USA ever since the Constitution was enacted.

And a right to a free trial was granted.

In addition, there was a provision that there would be no taxation without representation, but this new action by Trump challenges that.

And above all else, there was to be a Council of Barons, the first outline of a parliament to hold a king to account.

In other words, Magna Carta, 810 years ago, was the foundation for constitutional government. And ever since then, it has been seen as a symbol of liberty. It's effectively endorsed inside English law that we now have, the US Constitution and the UN Human Rights Principles. That's how influential it was.

But remember, it was the barons who brought the king to account in England 810 years ago, and now it's the Tech Bros who have given the USA King Donald, and a pathway to fascism without the interference of democracy, which is now looking likely to happen in

the USA.

It took centuries for Magna Carta to be embedded.

It's going to take four months for democracy to be unravelled in the USA, and the USA is going to take an almighty long time to get over this, if it ever does.

So, what is there to say in conclusion?

You can forget everything that was said in Magna Carta in the USA; that's history; that's gone, and so has the Constitution.

So have all the protections that you ever thought you had in that country.

So has habeas corpus.

So in fact, has every right that everybody had because you now will have a supreme monarch, able to do whatever he wishes.

Good luck with that, I say.

It's your job to work out how to live under fascism now, but no one has ever succeeded with that, and nor will you.

And so this is the most intensely dangerous situation, and it's going to end in tears.