

# CONSTITUTIONAL EROSION ANALYSIS SYSTEM



## EO\_14168.PDF

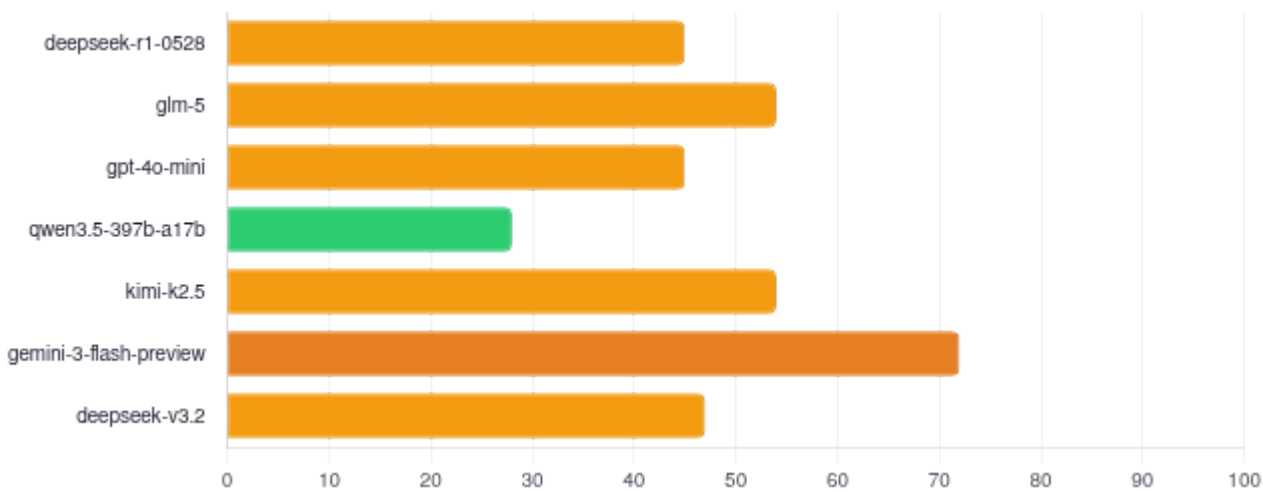
EO 14168 — Multi-Model Comparison Report

AVG THREAT LEVEL: MODERATE [49/100]

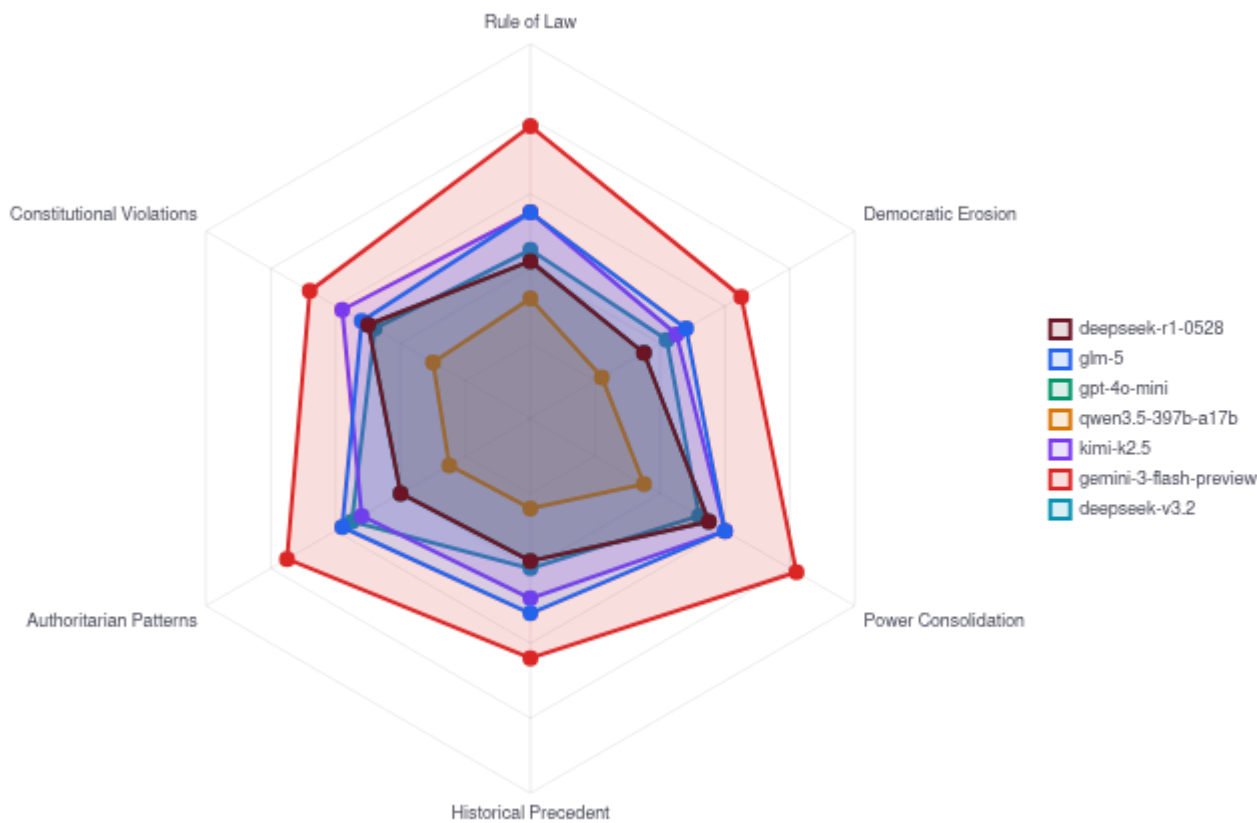
Models Compared: deepseek-r1-0528 • glm-5 • gpt-4o-mini • qwen3.5-397b-a17b • kimi-k2.5  
• gemini-3-flash-preview • deepseek-v3.2

|                 |             |                 |                   |
|-----------------|-------------|-----------------|-------------------|
| Models Analyzed | Score Range | Model Agreement | Generated         |
| 7               | 28 – 72     | 88%             | February 23, 2026 |

Overall Score Comparison



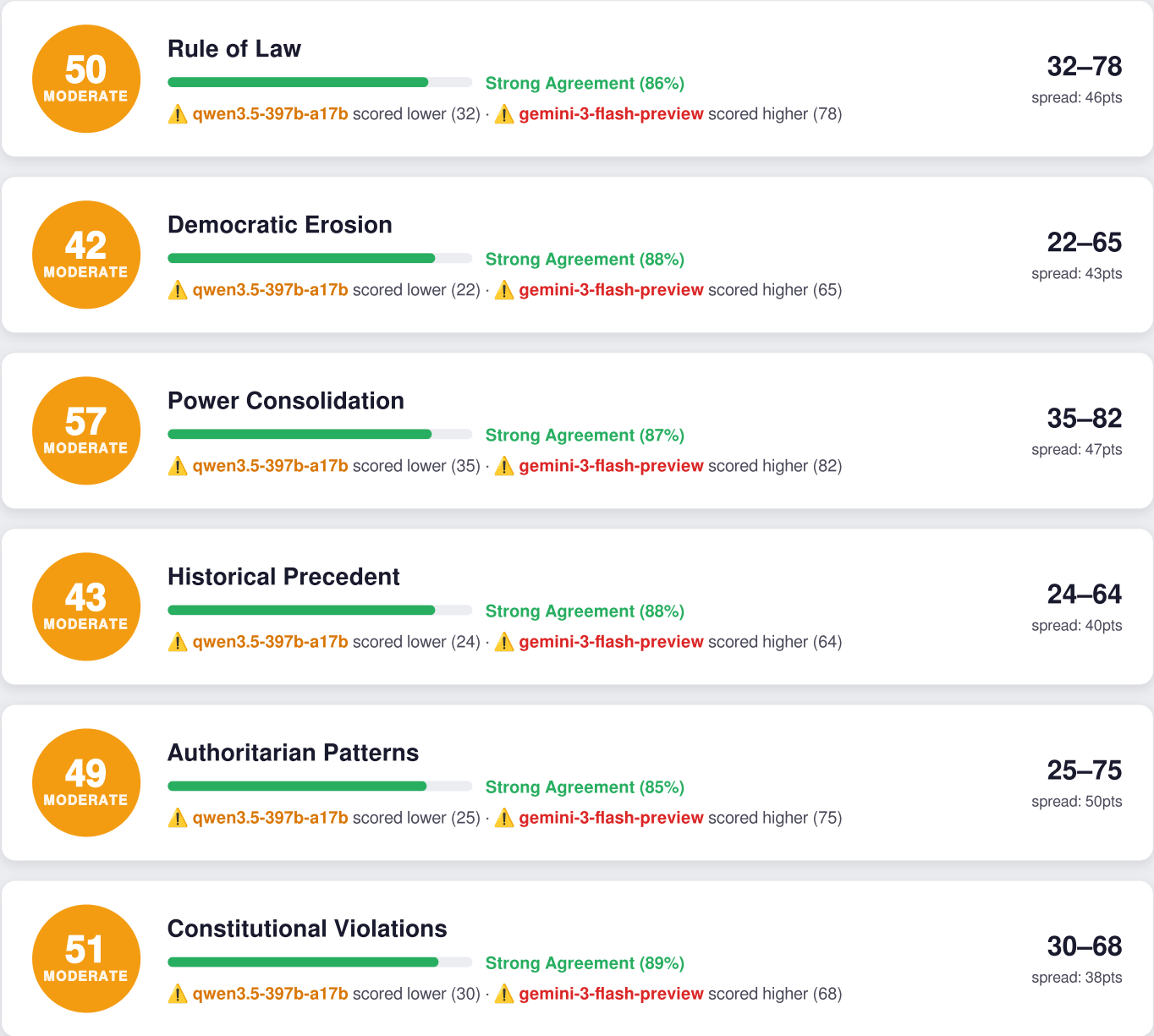
Framework Score Comparison (Radar)



|                 |               |             |                 |                        |                   |
|-----------------|---------------|-------------|-----------------|------------------------|-------------------|
| Models Compared | Average Score | Score Range | Model Agreement | Highest Score          | Lowest Score      |
| 7               | 49            | 28–72       | 88%             | 72                     | 28                |
|                 |               |             |                 | gemini-3-flash-preview | qwen3.5-397b-a17b |

# Consensus Scorecard

Average scores across 7 models per framework, with agreement levels and outlier detection.



# Model Comparison Matrix

Score heatmap across all 7 models and 6 analysis frameworks. Color intensity indicates threat level.

| Framework                 | 0528<br>deepseek-r1- | glm-5          | gpt-4o-mini    | a17b<br>qwen3.5-397b- | kimik2.5       | flash-preview<br>gemini-3- | deepseek-v3.2  | AVG       |
|---------------------------|----------------------|----------------|----------------|-----------------------|----------------|----------------------------|----------------|-----------|
| Rule of Law               | 42<br>MODERATE       | 55<br>MODERATE | 42<br>MODERATE | 32<br>LOW             | 55<br>MODERATE | 78<br>HIGH                 | 45<br>MODERATE | 50<br>AVG |
| Democratic Erosion        | 35<br>LOW            | 48<br>MODERATE | 35<br>LOW      | 22<br>LOW             | 45<br>MODERATE | 65<br>HIGH                 | 42<br>MODERATE | 42<br>AVG |
| Power Consolidation       | 55<br>MODERATE       | 60<br>MODERATE | 55<br>MODERATE | 35<br>LOW             | 60<br>MODERATE | 82<br>CRITICAL             | 52<br>MODERATE | 57<br>AVG |
| Historical Precedent      | 38<br>LOW            | 52<br>MODERATE | 38<br>LOW      | 24<br>LOW             | 48<br>MODERATE | 64<br>HIGH                 | 40<br>LOW      | 43<br>AVG |
| Authoritarian Patterns    | 40<br>LOW            | 58<br>MODERATE | 40<br>LOW      | 25<br>LOW             | 52<br>MODERATE | 75<br>HIGH                 | 55<br>MODERATE | 49<br>AVG |
| Constitutional Violations | 50<br>MODERATE       | 52<br>MODERATE | 50<br>MODERATE | 30<br>LOW             | 58<br>MODERATE | 68<br>HIGH                 | 48<br>MODERATE | 51<br>AVG |
| OVERALL THREAT            | 45<br>MODERATE       | 54<br>MODERATE | 45<br>MODERATE | 28<br>LOW             | 54<br>MODERATE | 72<br>HIGH                 | 47<br>MODERATE | 49<br>AVG |

Threat Level:

Minimal

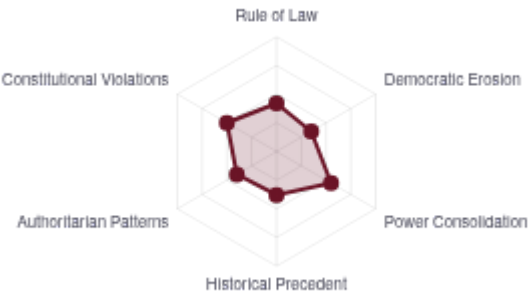
Low

Moderate

High

Critical

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 42 |
| Democratic Erosion        | <div><div></div></div> | 35 |
| Power Consolidation       | <div><div></div></div> | 55 |
| Historical Precedent      | <div><div></div></div> | 38 |
| Authoritarian Patterns    | <div><div></div></div> | 40 |
| Constitutional Violations | <div><div></div></div> | 50 |

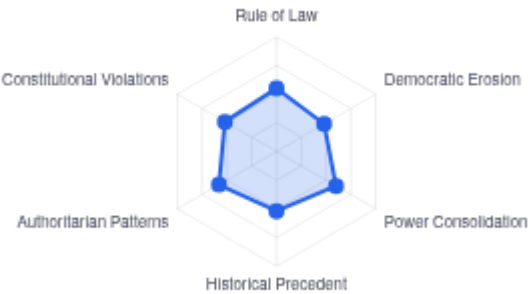
Executive Summary

The order weaponizes administrative power to enforce biological essentialism, systematically erasing gender identity recognition. While operating within executive authority boundaries, it directs agencies to disregard Supreme Court precedent (Bostock), institutionalizes exclusion of transgender individuals, and imposes ideological conformity. The unilateral reversal of protections echoes democratic backsliding patterns, though lacking immediate electoral interference or explicit power seizure. Constitutional concerns center on equal protection violations and separation of powers issues.

Top Key Findings

- ✓ **[Rule of Law]** Undermines stare decisis by directing non-compliance with Bostock precedent
- ✓ **[Rule of Law]** Circumvents regulatory process for policy reversal
- ✓ **[Democratic Erosion]** Institutionalizes exclusion of minority group from legal protections

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 55 |
| Democratic Erosion        | <div><div></div></div> | 48 |
| Power Consolidation       | <div><div></div></div> | 60 |
| Historical Precedent      | <div><div></div></div> | 52 |
| Authoritarian Patterns    | <div><div></div></div> | 58 |
| Constitutional Violations | <div><div></div></div> | 52 |

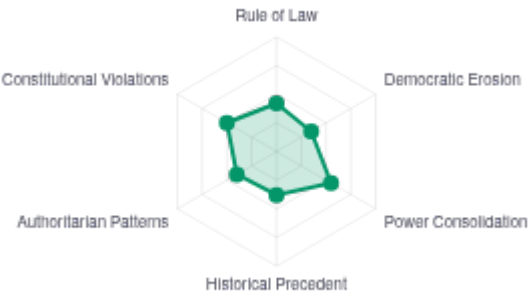
Executive Summary

This document shows moderate constitutional concerns with an overall threat score of 54/100. Key concerns include: The order mandates that specific definitions 'shall govern all Executive interpretation of and application of Federal law,' effectively centralizing interpretive power in the executive branch and requiring ideological conformity across all agencies.; Section 3(f) directs the Attorney General to 'correct the misapplication of the Supreme Court's decision in *Bostock v. Clayton County*,' representing executive branch assertion of authority to determine the meaning of judicial decisions..

Top Key Findings

- ✓ **[Rule of Law]** Executive attempt to reinterpret Supreme Court decision creates legal uncertainty and potential conflict with judiciary
- ✓ **[Rule of Law]** Mandated definitions may conflict with existing statutory language and judicial interpretations
- ✓ **[Democratic Erosion]** Delegitimization of previous administration through characterization of policies as 'gender ideology extremism'

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 42 |
| Democratic Erosion        | <div><div></div></div> | 35 |
| Power Consolidation       | <div><div></div></div> | 55 |
| Historical Precedent      | <div><div></div></div> | 38 |
| Authoritarian Patterns    | <div><div></div></div> | 40 |
| Constitutional Violations | <div><div></div></div> | 50 |

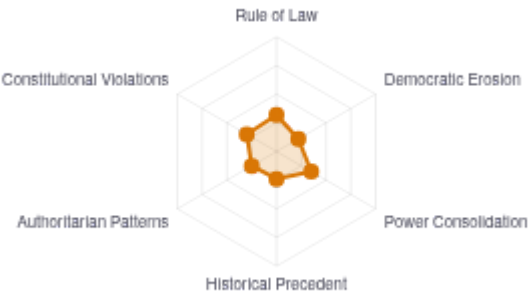
Executive Summary

The Executive Order represents a significant shift towards consolidating power under a narrow interpretation of sex and gender. It raises concerns regarding constitutional violations by rejecting established judicial precedents and may foster societal division. The order's authoritarian patterns manifest through the enforcement of strict definitions, potentially marginalizing diverse identities and undermining democratic norms.

Top Key Findings

- ✓ **[Rule of Law]** The order undermines legal interpretations that have been established and accepted in prior rulings.
- ✓ **[Rule of Law]** It may lead to inconsistent application of laws across federal agencies.
- ✓ **[Democratic Erosion]** The order reflects a broader trend of delegitimizing diverse identities and experiences.

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 32 |
| Democratic Erosion        | <div><div></div></div> | 22 |
| Power Consolidation       | <div><div></div></div> | 35 |
| Historical Precedent      | <div><div></div></div> | 24 |
| Authoritarian Patterns    | <div><div></div></div> | 25 |
| Constitutional Violations | <div><div></div></div> | 30 |

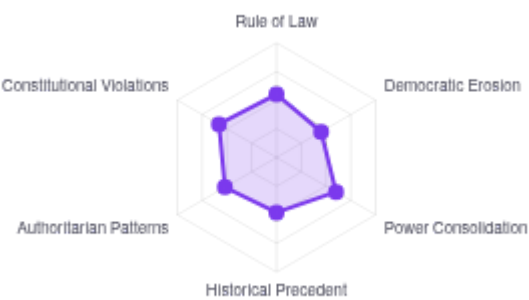
Executive Summary

This Executive Order represents policy action within normal presidential authority, though on a controversial social issue. The document uses standard Executive Order format and includes appropriate legal safeguards (severability, consistency with applicable law). Primary concerns relate to the breadth of administrative changes required and potential legal challenges regarding statutory interpretation. The policy represents legitimate democratic debate rather than authoritarian overreach, though the framing and scope warrant monitoring. Scores reflect routine executive action on contested policy rather than threats to democratic institutions.

Top Key Findings

- ✓ **[Rule of Law]** Directs Attorney General to issue guidance correcting prior legal interpretations
- ✓ **[Rule of Law]** Acknowledges implementation must be 'consistent with applicable law'
- ✓ **[Democratic Erosion]** Policy represents legitimate democratic debate on social issues

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 55 |
| Democratic Erosion        | <div><div></div></div> | 45 |
| Power Consolidation       | <div><div></div></div> | 60 |
| Historical Precedent      | <div><div></div></div> | 48 |
| Authoritarian Patterns    | <div><div></div></div> | 52 |
| Constitutional Violations | <div><div></div></div> | 58 |

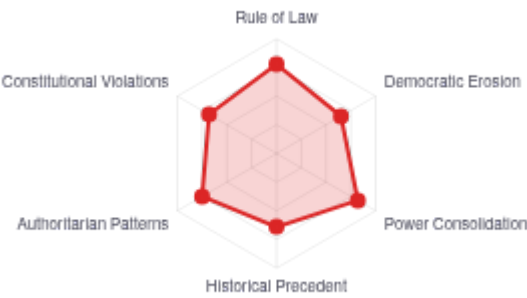
Executive Summary

This document shows moderate constitutional concerns with an overall threat score of 54/100. Key concerns include: The executive branch asserting authority to define biological 'truth' and delegitimize gender identity as an 'inchoate social concept' represents state imposition of a singular ideological framework, criminalizing/erasing a minority identity category through administrative fiat.; The directive to the Attorney General to issue guidance 'to correct the misapplication of the Supreme Court's decision in Bostock' represents a direct assault on judicial supremacy and separation of powers, asserting executive authority to override binding constitutional interpretation..

Top Key Findings

- ✓ **[Democratic Erosion]** Institutional warfare through dissolution of the White House Gender Policy Council and systematic rescission of previous executive orders
- ✓ **[Democratic Erosion]** Exploitation of polarization by framing policy as protection of women against extremist ideology
- ✓ **[Power Consolidation]** Centralization of definitional authority in the President and Attorney General across all federal agencies

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 78 |
| Democratic Erosion        | <div><div></div></div> | 65 |
| Power Consolidation       | <div><div></div></div> | 82 |
| Historical Precedent      | <div><div></div></div> | 64 |
| Authoritarian Patterns    | <div><div></div></div> | 75 |
| Constitutional Violations | <div><div></div></div> | 68 |

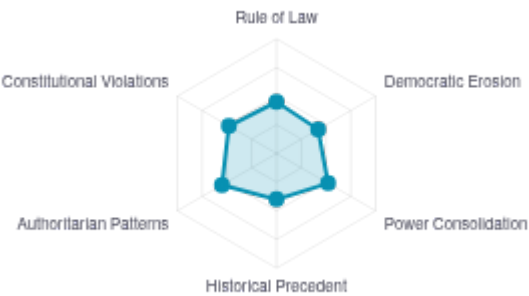
Executive Summary

Executive Order 14168 represents a significant shift toward authoritarian governance by centralizing ideological definitions and mandating their enforcement across the entire federal bureaucracy. By unilaterally redefining 'sex' and directing the Attorney General to bypass or 'correct' Supreme Court interpretations, the order challenges the separation of powers and the rule of law. The explicit targeting of 'gender ideology' as a threat to the 'validity of the American system' suggests an effort to use state power to marginalize a specific demographic, which is a hallmark of democratic erosion. The threat is compounded by the use of federal funding as a mechanism of ideological control.

Top Key Findings

- ✓ **[Rule of Law]** Unilateral executive redefinition of statutory terms ('sex', 'male', 'female') without Congressional input.
- ✓ **[Rule of Law]** The order for the Attorney General to 'correct' the application of Supreme Court rulings suggests an erosion of the separation of powers.
- ✓ **[Democratic Erosion]** Marginalization of vulnerable groups, a key indicator of democratic backsliding (Levitsky & Ziblatt).

Framework Scores



|                           |                        |    |
|---------------------------|------------------------|----|
| Rule of Law               | <div><div></div></div> | 45 |
| Democratic Erosion        | <div><div></div></div> | 42 |
| Power Consolidation       | <div><div></div></div> | 52 |
| Historical Precedent      | <div><div></div></div> | 40 |
| Authoritarian Patterns    | <div><div></div></div> | 55 |
| Constitutional Violations | <div><div></div></div> | 48 |

Executive Summary

Executive Order 14168 represents a significant authoritarian-style policy intervention that uses executive power to establish a state orthodoxy on gender and sex. While framed as protecting women and biological truth, it systematically dismantles protections for transgender individuals, mandates specific ideological language across government, and directs the executive branch to reinterpret settled law. The order demonstrates concerning patterns of democratic erosion—particularly in its lack of institutional forbearance and mutual toleration—and represents a consolidation of power over social policy through executive fiat rather than legislative process. However, it operates largely within existing executive authority to set administrative policy, does not suspend constitutional rights outright, and would be subject to judicial review. The threat is primarily to pluralism, equal protection, and the separation of powers, rather than to core democratic structures.

Top Key Findings

- ✓ **[Rule of Law]** Directs reinterpretation of Supreme Court precedent (Bostock) contrary to its established understanding
- ✓ **[Rule of Law]** Mandates removal of existing guidance documents without procedural review
- ✓ **[Democratic Erosion]** Erosion of institutional forbearance by using executive power to overturn extensive prior policy without legislative process

# Consensus Analysis

Where models agree and disagree across the 7 analyses.

## ✓ Areas of Agreement (<10pt spread)

No frameworks had close agreement (<10pt spread).

## ⚠ Areas of Disagreement (≥10pt spread)

|                                    |                                                                     |
|------------------------------------|---------------------------------------------------------------------|
| ⚠ <b>Authoritarian Patterns</b>    | Range: 25–75 — Spread: <b>50pts</b><br>High variance between models |
| ⚠ <b>Power Consolidation</b>       | Range: 35–82 — Spread: <b>47pts</b><br>High variance between models |
| ⚠ <b>Rule of Law</b>               | Range: 32–78 — Spread: <b>46pts</b><br>High variance between models |
| ⚠ <b>Democratic Erosion</b>        | Range: 22–65 — Spread: <b>43pts</b><br>High variance between models |
| ⚠ <b>Historical Precedent</b>      | Range: 24–64 — Spread: <b>40pts</b><br>High variance between models |
| ⚠ <b>Constitutional Violations</b> | Range: 30–68 — Spread: <b>38pts</b><br>High variance between models |

## 📋 Consolidated Recommendations

Merged and deduplicated across all 7 models — prioritized by how many models suggested each.

- Congressional oversight hearings on the implementation and impacts of the order**  
Suggested by 1 model: **deepseek-v3.2**
- Congressional oversight hearings regarding the dissolution of the Gender Policy Council and the impact on federal grants.**  
Suggested by 1 model: **gemini-3-flash-preview**
- Congressional oversight of agency implementation under Sec. 7(a)**  
Suggested by 1 model: **deepseek-r1-0528**
- Development of legislative safeguards to protect against executive overreach in defining protected classes**  
Suggested by 1 model: **deepseek-v3.2**
- Engage in public discourse to include diverse perspectives on gender and sex in policy-making.**  
Suggested by 1 model: **gpt-4o-mini**
- Immediate judicial review of constitutional and statutory challenges, particularly regarding Equal Protection and the reinterpretation of Bostock**  
Suggested by 1 model: **deepseek-v3.2**