

CONSTITUTIONAL EROSION ANALYSIS SYSTEM



EO_14260.PDF

EO 14260 — Multi-Model Comparison Report

AVG THREAT LEVEL: MODERATE [56/100]

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

Models Analyzed

7

Score Range

45 – 73

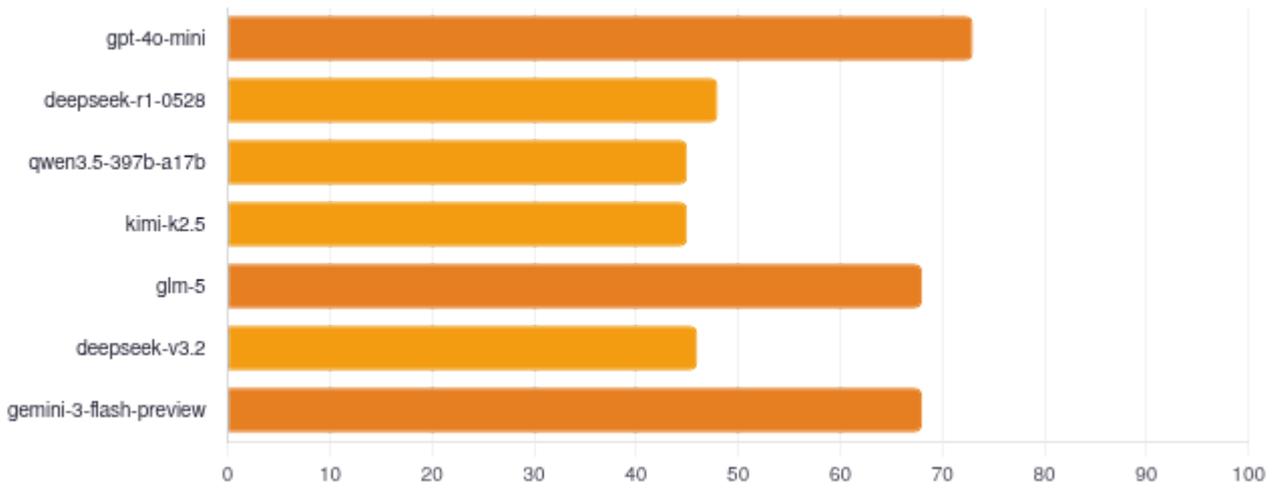
Model Agreement

88%

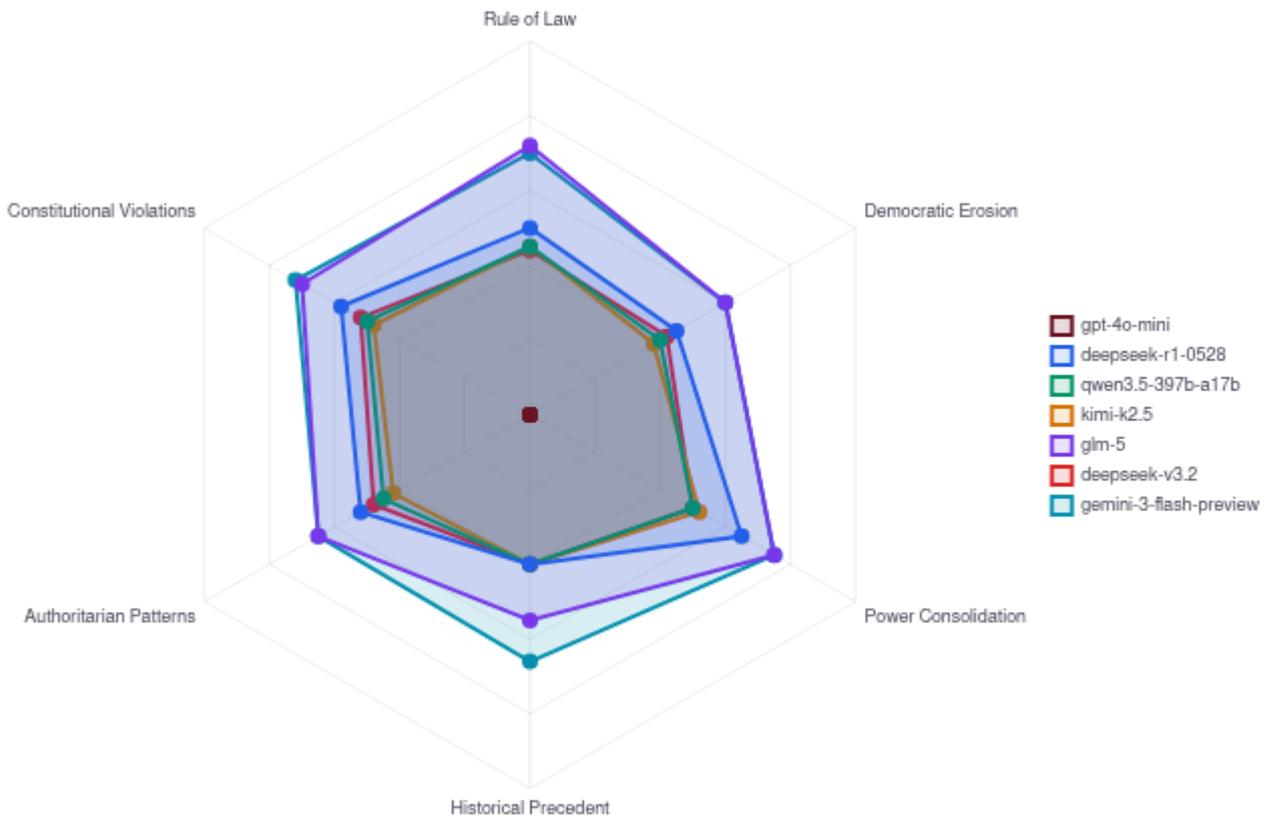
Generated

February 23, 2026

Overall Score Comparison



Framework Score Comparison (Radar)



Models Compared

7

Average Score

56

Score Range

45–73

Model Agreement

88%

Highest Score

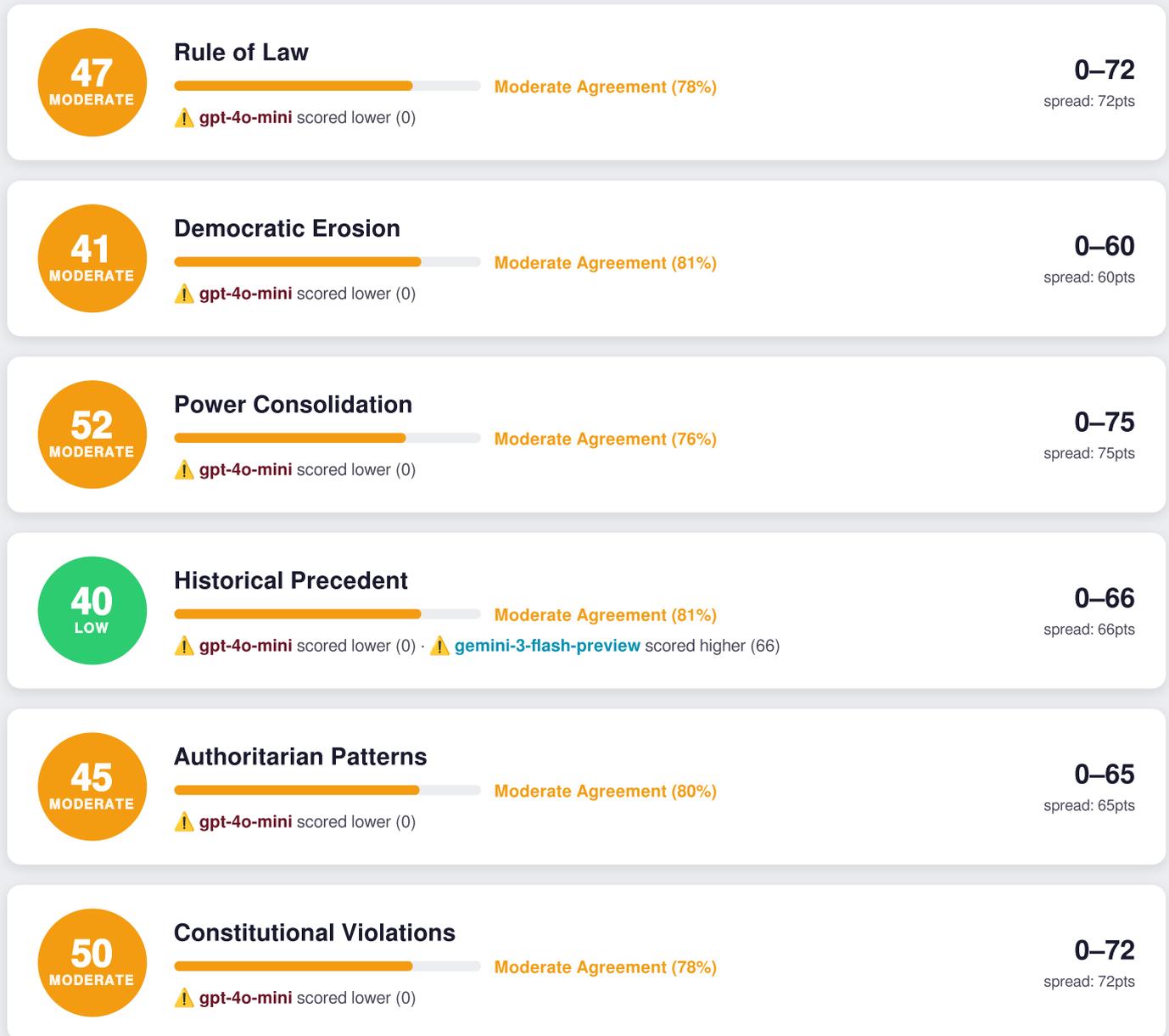
73
gpt-4o-mini

Lowest Score

45
qwen3.5-397b-a17b

Consensus Scorecard

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

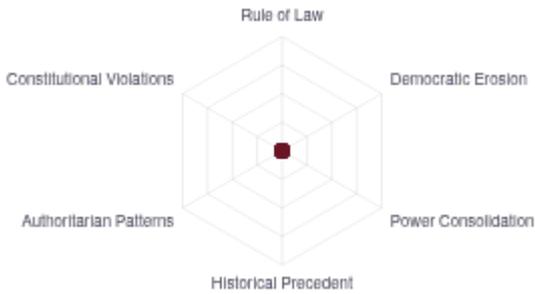


Model Comparison Matrix

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



Framework Scores



Rule of Law	<div style="width: 0%;"></div>	0
Democratic Erosion	<div style="width: 0%;"></div>	0
Power Consolidation	<div style="width: 0%;"></div>	0
Historical Precedent	<div style="width: 0%;"></div>	0
Authoritarian Patterns	<div style="width: 0%;"></div>	0
Constitutional Violations	<div style="width: 0%;"></div>	0

Executive Summary

"The Executive Order presents a moderate threat to democracy through its consolidation of power at the federal level and potential violations of state authority. The framing of state regulations as harmful aligns with the erosion of democratic norms. While not overtly authoritarian, the implications for federalism and rule of law warrant careful monitoring.", "urgent_concerns": ["The potential for selective enforcement of laws by the Attorney General.", "The risk of escalating tensions between state and federal governments."], "recommendations": ["Monitor the implementation of the Executive Order for potential overreach.", "Encourage dialogue between state and federal authorities to address energy policy collaboratively."], "threat_level": "moderate" }

Top Key Findings

- No findings data available.

Framework Scores



Rule of Law	<div style="width: 50%;"></div>	50
Democratic Erosion	<div style="width: 45%;"></div>	45
Power Consolidation	<div style="width: 65%;"></div>	65
Historical Precedent	<div style="width: 40%;"></div>	40
Authoritarian Patterns	<div style="width: 52%;"></div>	52
Constitutional Violations	<div style="width: 58%;"></div>	58

Executive Summary

The order demonstrates moderate but significant threats across frameworks, primarily through executive overreach into state regulatory domains. While framed as energy policy protection, its mechanisms—particularly the Attorney General's unilateral authority to invalidate state laws—undermine federalist principles and democratic processes. The most severe risks emerge in power consolidation tactics and constitutional violations, though judicial review remains theoretically available. The targeting of climate policies specifically creates viewpoint-based discrimination concerns.

Top Key Findings

- ✓ **[Rule of Law]** Establishes ad hoc review process for state laws
- ✓ **[Rule of Law]** Retroactive targeting of existing regulations violates legal certainty
- ✓ **[Democratic Erosion]** Undermines institutional forbearance by bypassing legislative channels

Framework Scores



Rule of Law	<div style="width: 45%;"></div>	45
Democratic Erosion	<div style="width: 40%;"></div>	40
Power Consolidation	<div style="width: 50%;"></div>	50
Historical Precedent	<div style="width: 40%;"></div>	40
Authoritarian Patterns	<div style="width: 45%;"></div>	45
Constitutional Violations	<div style="width: 50%;"></div>	50

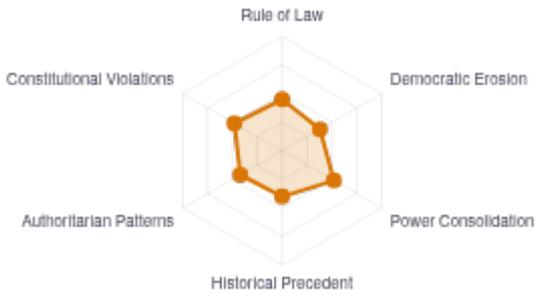
Executive Summary

This document shows moderate constitutional concerns with an overall threat score of 45/100. Key concerns include: Use of executive rhetoric to delegitimize state legislative processes; Conflict between federal executive orders and state sovereignty on environmental regulation.

Top Key Findings

- ✓ **[Rule of Law]** Selective enforcement prioritizing specific ideological targets ('climate change', 'ESG')
- ✓ **[Rule of Law]** Broad discretion granted to AG to determine legality of state laws without judicial review first
- ✓ **[Democratic Erosion]** Nullification of state-level democratic choices regarding environmental protection

Framework Scores



Rule of Law	<div style="width: 45%;"></div>	45
Democratic Erosion	<div style="width: 38%;"></div>	38
Power Consolidation	<div style="width: 52%;"></div>	52
Historical Precedent	<div style="width: 40%;"></div>	40
Authoritarian Patterns	<div style="width: 42%;"></div>	42
Constitutional Violations	<div style="width: 48%;"></div>	48

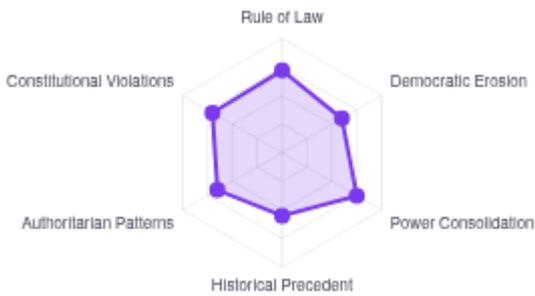
Executive Summary

Executive Order 14260 represents a moderate threat to democratic governance through its attempt to centralize control over environmental and energy policy traditionally reserved to states under the 10th Amendment. While framed as Commerce Clause enforcement, the document reveals authoritarian patterns through its delegitimization of state democratic processes ('extortion,' 'ideologically motivated') and its usurpation of judicial authority by directing the Attorney General to unilaterally nullify state laws without Article III review. The order exhibits democratic erosion (per Levitsky & Ziblatt) through the breakdown of mutual toleration and institutional forbearance, treating opposition state governance as national security threats rather than legitimate policy differences. The power consolidation strategy focuses on neutralizing 'blue state' climate initiatives while bypassing Congress, utilizing national security framing to justify extraordinary federal intervention. Though stopping short of dissolving courts or suspending habeas corpus (which would indicate critical threat), the order degrades rule of law by substituting executive determination for judicial review and creating arbitrary enforcement mechanisms targeting specific ideological viewpoints (ESG, climate change). Historically, this fits patterns of executive aggrandizement seen in sanctuary city conflicts but escalates to direct nullification of state civil actions.

Top Key Findings

- ✓ **[Rule of Law]** Retroactive legal uncertainty: While accusing states of retroactivity, the EO creates arbitrary federal override of existing state legal frameworks
- ✓ **[Rule of Law]** Arbitrary enforcement: Prioritization based on ideology ('climate change,' 'ESG') rather than objective legal standards
- ✓ **[Democratic Erosion]** Breakdown of mutual toleration: Treating opposition party state governance as illegitimate 'extortion' rather than policy disagreement

Framework Scores



Rule of Law	72
Democratic Erosion	60
Power Consolidation	75
Historical Precedent	55
Authoritarian Patterns	65
Constitutional Violations	70

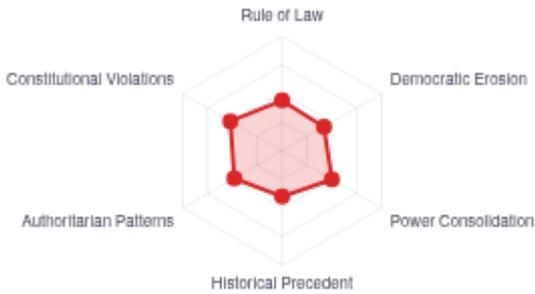
Executive Summary

Executive Order 14260 represents a significant assault on federalism and the constitutional allocation of powers between federal and state governments. By directing the Attorney General to identify and 'stop the enforcement' of state laws that the executive branch unilaterally determines to be 'illegal,' the order attempts to concentrate judicial power in the executive and bypass the constitutional role of courts in adjudicating federalism disputes. The order's targeting of specific state policies—particularly climate and environmental regulations—through delegitimizing language ('extortion,' 'radical,' 'ideologically motivated') demonstrates a pattern of authoritarian governance that treats political opposition as illegitimate rather than as an expression of democratic self-governance. The use of 'national security' framing to justify this power grab follows a historical pattern of executives invoking emergency powers to consolidate authority. While the order includes boilerplate language about 'applicable law,' its operative provisions direct executive action that would violate constitutional separation of powers and the 10th Amendment. The order exemplifies Levitsky and Ziblatt's warning about elected executives using legal mechanisms to undermine democratic institutions—in this case, using the Department of Justice as an instrument to neutralize state-level political opposition.

Top Key Findings

- ✓ **[Rule of Law]** Executive pre-judgment of legal outcomes: Declaring laws 'illegal' before judicial determination or adversarial process
- ✓ **[Rule of Law]** Selective enforcement: Targeting specific policy areas (climate, ESG, environmental justice) while ignoring others
- ✓ **[Democratic Erosion]** Institutional capture: Using Department of Justice to target political opponents' policy preferences through selective enforcement priorities

Framework Scores



Rule of Law	<div style="width: 44%;"></div>	44
Democratic Erosion	<div style="width: 42%;"></div>	42
Power Consolidation	<div style="width: 50%;"></div>	50
Historical Precedent	<div style="width: 40%;"></div>	40
Authoritarian Patterns	<div style="width: 48%;"></div>	48
Constitutional Violations	<div style="width: 52%;"></div>	52

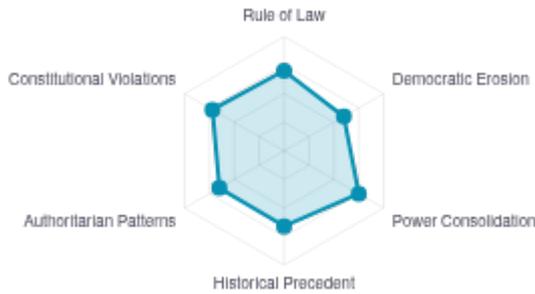
Executive Summary

The order represents a significant federalism conflict with concerning authoritarian patterns, scoring in the MODERATE threat range (46). While executive orders challenging state policies are not unprecedented, this document exhibits several troubling characteristics: (1) it pre-judges state laws as 'illegal' before judicial review, (2) uses explicitly political criteria (targeting climate policies) for enforcement, (3) employs pejorative, delegitimizing language about democratically enacted state laws, and (4) transforms the Justice Department into a policy enforcement mechanism. However, the order includes standard disclaimers about implementation 'consistent with applicable law' and preserves some separation of powers. The threat is primarily to federalism and pluralistic democracy rather than immediate constitutional collapse.

Top Key Findings

- ✓ **[Rule of Law]** Pre-judges state laws as 'illegal' before judicial review
- ✓ **[Rule of Law]** Directs enforcement actions based on political alignment
- ✓ **[Democratic Erosion]** Bypasses legislative process for policy change

Framework Scores



Rule of Law	<div style="width: 70%;"></div>	70
Democratic Erosion	<div style="width: 60%;"></div>	60
Power Consolidation	<div style="width: 75%;"></div>	75
Historical Precedent	<div style="width: 66%;"></div>	66
Authoritarian Patterns	<div style="width: 65%;"></div>	65
Constitutional Violations	<div style="width: 72%;"></div>	72

Executive Summary

Executive Order 14260 represents a significant escalation in the use of federal executive power to circumvent the constitutional principle of federalism. By framing state-level environmental and climate policies as 'extortion' and 'illegitimate,' the order provides a pseudo-legal basis for the Department of Justice to aggressively intervene in state sovereignty. The document is characterized by a high degree of ideological antagonism and a directive to 'stop the enforcement' of laws that have not yet been struck down by a court of final appeal, representing a high threat to the established rule of law and the separation of powers.

Top Key Findings

- ✓ **[Rule of Law]** Retroactive labeling of state compensatory payments as 'extortion'
- ✓ **[Rule of Law]** Erosion of legal certainty for states and businesses relying on existing state statutes
- ✓ **[Democratic Erosion]** Delegitimization of the 'loyal opposition' (states with differing ideological views)

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)

⚠ **Power Consolidation** Range: 0–75 — Spread: **75pts**
High variance between models

⚠ **Rule of Law** Range: 0–72 — Spread: **72pts**
High variance between models

⚠ **Constitutional Violations** Range: 0–72 — Spread: **72pts**
High variance between models

⚠ **Historical Precedent** Range: 0–66 — Spread: **66pts**
High variance between models

⚠ **Authoritarian Patterns** Range: 0–65 — Spread: **65pts**
High variance between models

⚠ **Democratic Erosion** Range: 0–60 — Spread: **60pts**
High variance between models

📄 Consolidated Recommendations

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

Civil society organizations should document instances of executive interference with state environmental enforcement and democratic processes

Suggested by 1 model: glm-5

Civil society should monitor for retaliatory actions against states maintaining climate or ESG policies

Suggested by 1 model: kimi-k2.5

Congress should clarify limits on executive authority to unilaterally nullify state laws under Supremacy Clause

Suggested by 1 model: kimi-k2.5

Congress should exercise immediate oversight authority regarding DOJ implementation of this order and its constitutional implications

Suggested by 1 model: glm-5

Congressional oversight hearings on the order's implementation

Suggested by 1 model: deepseek-v3.2

Congressional oversight into the use of DOJ resources for the suppression of state-level legislation.

Suggested by 1 model: gemini-3-flash-preview

Congressional oversight of Attorney General actions under this order