

CONTENTS

| | | |
|---|---|-----|
| 1 | How Good Are the Brakes on the Democracy Train? | 3 |
| 2 | Why the Sudden Concern About Fixing the Brakes? | 19 |
| 3 | Would You Buy This House? Repairing the Cracks in Democracy's Foundation | 35 |
| 4 | Do the External Judicial Brakes Work Anymore? | 79 |
| 5 | The Fortas Fiasco: How Not to Maintain the Brakes | 103 |
| 6 | What's Law Got to Do with It? Please Don't Kill All the Lawyers—Yet | 127 |
| 7 | In Praise of Seventh-Grade Civics: Separation of Powers in the Time of Trump | 143 |
| 8 | Applying Separation of Powers in the Time of Trump: Five Test Cases | 157 |
| 9 | Which Shell Is the Power Under? Federalism as a Protection of the Weak | 197 |
| | Epilogue: Night Sweats—What If It All Comes Apart? | 227 |
| | A Note on Notes | 233 |
| | Index | 239 |