

# For Now, The American Republic Stands

Before the November 3 election, a foundational principle of the American republic – checks and balances – was on life support. The same inaccurate pollsters who predicted a blowout win for Biden also predicted the Democrats would [take control of the Senate](#). With one-party Democratic control, America as we know it would disappear.

The results of the election didn't match the polls. On January 5, 2021, if the Republicans win one of the two Georgia runoff Senate races, Republicans [will retain control](#) of the Senate and two-party governance will be preserved.

America has recently experienced one-party rule, both under Republicans from 2017 to 2019, and under Democrats from 2009 to 2011. But times have changed. This time, one-party rule under Democrats promises permanent governmental changes, such as an [end to the Senate filibuster](#) and the addition of [Puerto Rico and the District of Columbia as states](#). It also promises to [pack the Supreme Court](#) with additional justices, to avoid having new laws declared unconstitutional.

These foundational changes obliterate checks and balances, the core design feature built into the Constitution to prevent abuses of power. Losing these would cause America to lose her tried-and-true form of government for good.

James Madison explained why checks and balances “should be necessary to control the abuses of government” [in Federalist Paper No. 51](#). No matter what you believe about the goodness of Joe Biden and the Democrats, their character is not enough to prevent abuses to liberty:

*If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal*

*controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.*

*A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.*

Madison explored how “opposite and rival interests” compensate for a “defect of better motives,” so that the “private interest of every individual may be a sentinel over the public rights.” Madison continued:

In republican government, the legislative authority necessarily predominates. The remedy for this inconveniency is to divide the legislature into different branches; and to render them, by different modes of election and different principles of action, as little connected with each other as the nature of their common functions and their common dependence on the society will admit.

“Different modes of election” refers to the original Constitution. In the original Constitution, state legislatures appointed their state’s U.S. Senators. Direct election of senators began in 1914, after the ratification of the 17<sup>th</sup> Amendment. Ben Sasse, a Republican senator from Nebraska, has called for the repeal of the 17<sup>th</sup> Amendment, [explaining](#) how appointment by states would introduce different perspectives and provide a check against polarization:

Different states bring different solutions to the table, and that ought to be reflected in the Senate’s national debate. The old saying used to be that all politics is local, but today—thanks to the internet, 24/7 cable news and a cottage industry dedicated to political addiction—politics is

polarized and national. That would change if state legislatures had direct control over who serves in the Senate.

The framers of the Constitution understood that democracy does not guarantee liberty and justice for all. The rights of the minority can be usurped under democratic rule. Madison explained:

It is of great importance in a republic not only to guard the society against the oppression of its rulers, but to guard one part of the society against the injustice of the other part. Different interests necessarily exist in different classes of citizens. If a majority be united by a common interest, the rights of the minority will be insecure.

These different interests are reflected in the Democratic party, where working class voters have been a solid bloc for years. Yet in the minds of the working class, as 2020 Democratic presidential nominee [Andrew Yang recently observed](#), “the Democratic party, unfortunately has taken on this role of the coastal urban elites who are more concerned about policing various cultural issues than improving their way of life that has been declining for years.”

The coastal elite mindset that Yang describes has the potential to unleash destructive forces inimical to rights the Constitution is designed to protect. Gary Saul Morson, an acclaimed professor of Russian literature at Northwestern University, sees parallels between revolutionary Russia and contemporary America. Speaking of the violence unleashed in cities across the U.S. in the summer of 2020, he is [alarmed at the number](#) of well-meaning people who can’t bring themselves to condemn violence in pursuit of political or social goals:

When you’re dragged along into something you don’t really believe yourself—because otherwise you are identified with those evil people, and your primary identity is being a ‘good guy,’ not like *those* people—you will wind up supporting things

you know to be wrong. And unless there is some moral force that will stop it, the slide will accelerate.

The observations of Morson and Yang provide a backdrop to examine Joe Biden's belief that the voters have given him a "[mandate for action](#)." Biden assures us he is already hard at work on actions to fix the economy, climate change, and COVID-19. He has plans to [issue a series of rapid executive orders](#).

No president has a mandate for anything. In James Madison's words, the federal government is limited to "[few and defined](#)" [powers](#).

The framers of the Constitution wrestled with the problem of democracy taking [measures decided](#), in Madison's words, "not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority." In today's highly polarized environment, without checks and balances, it is a near certainty that terrible outcomes will instead be driven by the inordinate power of "coastal urban elites."

The Founding Fathers knew that in order to preserve liberty, we couldn't trust politicians with concentrated power. If the Republicans do not prevail in one Senate race in Georgia, the American people will receive a crash course in the Founders' wisdom.

—

Image Credit:

Both Left and Right-Flickr-Gage Skidmore, CC BY-SA 2.0