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Learning to love one-party rule: A Beginner's Guide

Bruce Ledewitz

Duquesne University, ledewitz@duq.edu

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Learning to love one-party rule: A Beginner's Guide | Bruce Ledewitz

Bruce Ledewitz

by Bruce Ledewitz, Pennsylvania Capital-Star March 24, 2021

I'm learning to love one-party rule. That is the situation we have now in Washington D.C., in which the Democratic Party narrowly controls both Houses of Congress, and the Presidency, and can pass legislation without any votes from Republicans.



Bruce Ledewitz
(Capital-Star file)

But I don't just mean I support one-party rule when my party is in power. I also appreciate the period from 2017-2019, when the Republican Party enjoyed a similar position and could act without support from Democrats.

The reason for my affection is that in a hyper-partisan context like ours, one-party rule means that things can get done. When the two political parties share power, as occurred when the Republican Party controlled at least one House of Congress during the last six years of the Barack Obama Administration, there will be legislative stalemate on all but the rarest occasions.

There are two ways constitutional democracy can be undone. One is to destroy public confidence in the democratic process itself. The lies about election fraud in 2020 have done a great deal of damage in that regard.

But the other way that democracy can fail is for citizens to believe that it does not matter who wins elections because government does not work for them.

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Donald Trump came to power arguing that the average person had no say because the system was rigged.

Eventually, a public that believes that elections change nothing for the average citizen will turn away from democracy to embrace some form of dictatorship. It can happen here.

One-party rule, in contrast, shows that democracy works.

So, in the 2016 election, Republicans were understood to support adding originalist judges and Justices to the federal courts, cutting taxes to spur economic growth, and repealing Obamacare.

After Republicans took power, they took advantage of a previous elimination of the filibuster in the Senate to appoint large numbers of lower federal court judges and then abolished the filibuster for Supreme Court nominations to name three justices to the court. In addition, they used the legislative maneuver of reconciliation to avoid filibusters of the 2017 tax cut and of their attempt to repeal Obamacare.

Although the effort to repeal Obamacare narrowly failed, the voters could see that the Republicans tried to do what they had promised.

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As a result, the voters learned what Republican rule means, for good or ill. It is fair to say that their judicial confirmations remain popular with many voters, but the tax cut and Obamacare repeal efforts were both bad policy and political failures.

Now, in 2021 the Democrats, with their one-party rule, have a chance to show what Democratic Party rule means. The voters will get to decide in 2022 whether to continue with that course or to return to divided government by handing the Republicans one or both Houses of Congress.

This is democracy in action.

One-party rule is not perfect, of course. In an ideal world, two centrist political parties, one tilting left and the other right, would identify the problems facing America and do the hard work of compromising to address those problems.

One-party rule, unfortunately, tends to be irresponsible because of the pressing need to win the next election. That is why the two parties are emphasizing tax cuts and spending increases—the cake and ice cream of American politics.

But we don't have that ideal world. Short of that, government has to work for democracy to endure, even if it is not working perfectly.

The major impediment to one-party rule is the filibuster in the Senate, which can block legislation unless there are 60 votes to end it. Except for the unusual circumstance of the 2008 economic downturn, neither Party has come close to a 60-vote, filibuster proof majority.

In order for one-party rule to function, the filibuster has to be completely eliminated.

Notwithstanding protestations from whichever side is in the minority, that will eventually happen. Both parties have been narrowing the application of the filibuster whenever they needed to do so to enact crucial legislation or take needed legislative action. No conservative complained when reconciliation was used to try to repeal Obamacare. No liberal complained when the same was done to pass the COVID-19 spending bill without facing a filibuster.

No one should shed any tears for the filibuster's final interment. Despite the appeal in theory of a mechanism through which a legislative minority can forestall dramatic policy changes unless a supermajority in the Senate supports it, both parties have been abusing the filibuster for years to keep the majority from enacting ordinary legislation or taking action the people voted for.

Thus, the Democrats filibustered the Supreme Court nomination of Neil Gorsuch with no justification except partisan opposition. They would have done the same to the 2017 tax cut had they been permitted to do so, again a perfectly ordinary legislative undertaking they opposed.

Similarly, the Republicans are certain to filibuster the proposed increase in the minimum wage to \$15, another piece of ordinary legislation.

The filibuster was never meant to require 60 votes to pass most legislation. To allow that to happen because of our hyper-partisanship is to undermine constitutional democracy. Within constitutional limits, the people have the right to rule.

Fortunately, the nature of one-party rule renders the elimination of the filibuster perfectly safe. It is unlikely that either Party would vote unanimously for legislation that created major change. Obamacare was an exception, but even it was fundamentally just an extension of existing policy. Real change would require some support from across the aisle, even without the filibuster.

But the best thing about one-party rule is that, because it allows democracy to work and shows the voters what each party actually stands for, it is likely to be temporary.

In partisan deadlock, each party tells its supporters how much better its policies are than those of the other side, with no way to test such claims.

But in one-party rule, the voters get to see policies in action. They will prefer one kind of party rule over the other. Even in our hyper-partisanship, the voters will eventually change their votes to reflect what they want. In order to prevent a demotion to permanent minority status, the other party will then have to bring itself closer to the voters' preferences.

In other words, one-party rule means effective competition between the parties. And, as often occurs in competition, this will improve the performance of each party, bringing them closer together. The winner will be democracy itself.

Opinion contributor Bruce Ledewitz teaches constitutional law at Duquesne University Law School in Pittsburgh. His work appears biweekly on the Capital-Star's Commentary Page. Listen to his podcast, "Bends Toward Justice" [here](#).