

# Just how consequential is next election?

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Donald Trump claims that the next presidential election will be the most important election in history. Biden claims that the fate of democracy is at stake. Many Americans share these apocalyptic views. Voters on each side of the political aisle believe that if the other side wins, catastrophic consequences will occur. Given the intense stress many people feel about this election, it is no surprise that so many people already feel exhausted, even though it is still four months until the election. For those who count themselves among the exhausted, they may be comforted by the views expressed by the scholar Yuval Levin during an interview on the Econtalk podcast.

Levin argues the outcome of this election won't matter that much, mostly because of the genius of our constitutional system. The founding fathers knew that dealing with majority rule was a balancing act. On one hand, they knew that for laws to be considered legitimate, the laws had to be the result of majority votes. On the other hand, the founding fathers knew that majority rule has its drawbacks; namely, if the majority got their way all of the time, those in the minority could be oppressed. Since the composition of the ruling majorities can change over time, many of us can imagine being in the minority for periods of time. To keep this from being a dreadful experience, we

are all interested in limiting the power of the ruling majority.

The U.S. system of government is masterful at limiting the majority's power. Laws have to pass two chambers and get the President's signature. The two chambers are elected in different ways. The House is organized so that large population centers get more representation. The Senate, on the other hand, is organized to give all states equal representation: Wyoming and California both get two Senators even though California has many more people. Because these chambers emphasize the preferences of different groups, they will often have trouble reaching an agreement. The majority party in the Senate, if it has a slim majority, faces another roadblock – the filibuster. The filibuster in the Senate requires 60 percent of the Senators to agree on a bill for it to pass in the chamber, which keeps a majority with say 55 out of 100 seats from imposing its will. The Judiciary is another roadblock since it can strike down the laws the majority enacts.

In short, our system makes it very hard for narrow majorities to get much done. There are so many roadblocks that a bare majority won't be able to force its agenda on the nation. For the most part, it takes a large majority to pass an important bill and the bill must remain popular for the law to last. The large majority is needed to pass the law in the first place. The persistent popularity is needed to make sure that the bill isn't overturned soon after it is passed

– either by future Congresses or by the courts.

Levin echoed an argument made by Tocqueville in the early 1800s. Tocqueville recognized that majority rule could be oppressive. In Europe during the 1800s, the common folk could easily recognize that the king's laws were bad. After all, it is easy to say that one man, the king, is an idiot. In a system where people get to vote and majority rule determines policy, people have a harder time recognizing laws are bad. It is harder to believe that most people are idiots than it is to believe that one man (the king) is an idiot. The moral force that comes with majority rule allows the majority to be even more tyrannical than a king. Our founding fathers probably knew about Tocqueville's insights from their own experiences before he wrote his famous book.

To prevent tyranny of the majority, our system has made it nearly impossible for narrow majorities to get much done. Instead of lamenting this, I say thank goodness. This should give you some comfort if your favorite candidate loses in November. The bad guy (either Trump or Biden, depending on your perspective) won't be able to do much harm because his party will not win large majorities in the two chambers of Congress. This bad guy won't get much done, which is what our founding fathers would have intended.

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