



OPINION: THE DEMOCRATIC SUBVERSION OF DEMOCRACY - BEN SHAPIRO

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We have heard repeatedly during this election cycle that Donald Trump is a deep and abiding threat to democracy. That threat supposedly springs from Trump's belief that he won the 2020 election, as well as his promotion of the specious legal theory that the vice president has the unilateral power to invalidate certified state electoral votes.

One can stipulate that Trump has presented no evidence sufficient to support a claim that he lost the 2020 election based on voter fraud; one can further stipulate that Trump's pressure on Mike Pence to delay election certification was rooted in baseless misinterpretation of the Constitution. In reality, however, the truest threat to American democracy isn't stubborn unwillingness to concede an election or groundless legal wrangling. It is the continuing attempt to create a series of institutions impervious to public rebuke or electoral accountability, comprised of pseudo-experts who act as "authorities" on a wide range of issues affecting Americans.

It is the creation and maintenance of a permanent bureaucracy, organized by the political left and catering to its whims.

This was the goal of Woodrow Wilson, who wrote in 1887 that the political sphere — the responsibility of elected officials — had to be circumscribed in favor of expert "administration": "Administrative questions are not political questions. Although politics sets the tasks for administration, it should not be suffered to manipulate its offices." The power of the administrative state, Wilson wrote, should be unhampered and discretionary.

And that is the goal of the so-called ~~x~~Deep State today. In preparation for Joe Biden's possible defeat, the Biden administration is promoting new regulations from the Office of Personnel Management to prevent the reclassification of career civil servants as political appointees of at-will workers — effectively giving them taxpayer-funded tenure. The administration has spent the last few months ramming through regulations in an attempt to avoid the consequences of the Congressional Review Act — a piece of legislation that allows Congress to repeal regulations by passing a joint resolution immune to filibuster. The CRA can only be used, however, on regulations filed in the 60 days before a Congressional session adjourns. Hence the rush.

All of this is designed to insulate government from the elected branches. And that is good, according to our legacy media and the Democratic Party, because the elected branches may come to be run by Donald Trump. This is why The New York Times ran a piece in March titled, "It Turns Out the 'Deep State' Is Actually Kind of Awesome." According to the Times, "When we hear 'deep state,' instead of recoiling, we should rally. We should think about the workers otherwise known as our public servants, the everyday superheroes who wake up ready to dedicate their careers and their lives to serving us."

Those who posit that bureaucrats ensconced in regulatory positions may pursue anti-democratic ends are labeled "conspiracy theorists." But there is no conspiracy theory necessary when the goal of bureaucratic administration is out in the open and has been for 150 years. Our Constitutional republic was rooted in checks and balances between elected branches, and an unelected judiciary delegated the power merely to interpret law rather than create it. There is no independent fourth branch of government that presides over policy, free from the electorate's judgment.

Yet that is precisely what the Biden administration continues to promote. And *that* is a threat to American democracy — a threat that has already materialized over the course of decades, turning our government into an elephantine, sclerotic and byzantine architecture shielded from public accountability. According to Democrats, that's a good thing. At least it protects us from the *true* "threat to democracy," an elected Republican president.