



Written by [Selwyn Duke](#) on November 17, 2021

## **GOP Gubernatorial Candidate: Governors Can Trump Biden Admin's Socialist Push**

"The president has made his decision — now let him enforce it." This twist on a famed Andrew Jackson paraphrase appears to be the spirit espoused by GOP gubernatorial candidate John Lee, who aims to unseat Nevada's Democrat governor Steve Sisolak in next year's midterm elections.

Lee, North Las Vegas' mayor and a former Democrat himself, laments that his erstwhile party is now run by Bernie Sanders (I-Vt.) and is aiming to usher in socialism; this reality "is just sickening to everyone," he stated on *Breitbart News Saturday*.

"Lee argued that Republican governors can serve as the best check against the Democrat Party," [reports](#) Breitbart.

"We cannot fix Washington from the top down anymore," the site continued. "We need to fix it from the bottom up," Lee told *Breitbart News Saturday*.

*Breitbart News Saturday* host Matthew Boyle pointed out that "many swing district Democrats have cast themselves as moderates since the Republican electoral landslides across the country," Breitbart also relates. In fairness to Lee, however, he switched parties well before the November GOP electoral victories, as the tweet below relates.

Lee explained his motivation on the April 6 edition of *Fox & Friends*. "When you're a pro-life Democrat, a pro-gun Democrat, and you're a very conservative person, that's not really well known in the Democratic Party anymore," he stated. "And so for me to hang on as long as I did, hoping the party would change, it didn't — it got worse."

"So, therefore, I found a new place where I can put my allegiance to and help once again," Lee continued. "Forget about the last eight years, it's about the next four years that predict the future" (video below). He also wrote in a [statement](#) that he "voted for President Trump twice."

Lee appears sincere. But whatever is in his heart, there is something you can bank on:

What the candidate says about governors checking a rogue federal government is *absolutely, beyond a shadow of a doubt true*.

Too many conservatives, being *conservative* — and the only consistent definition of "conservatism" concerns desire to maintain the status quo — strive to uphold "the rules," society's norms and conventions. Today this means that if you dislike a federal dictate, you make your discontent known and then file a lawsuit.



AP Images  
John Lee



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This is fine as far as it goes, but the courts won't be our nation's savior. First, historically, judges have often been adventuristic and thus more part of the problem than the solution. There are multiple reasons for this, no doubt, but here are three:

Being unelected and serving for life, justices are unaccountable to the people. This means they're more likely to be influenced by their pseudo-elite circles, in which they want to maintain respect (wouldn't want those cocktail party invitations getting lost in the mail); and by concern over their "legacy." The latter means they're kowtowing to their conception of future generations' nature, and all they see is a civilization moving toward the "left." They don't want to be on the "wrong side of history."

Justices also were educated in law schools, which are part of the establishment and thus instinctively are geared toward preserving it; you don't kill your own golden goose.

Judges are generally beholden to "precedent" (*stare decisis*), which too often means this: If the Constitution has been trampled in a certain way before, it may be done again. "Our judges are as honest as other men, and not more so," as Thomas Jefferson [noted](#) in 1820. "They have, with others, the same passions for party, for power, and the privilege of their corps." Not honoring "precedent" — essentially saying "Those judges were all wrong" — would serve to diminish their own power and privilege of their corps. Thus do justices too often follow precedent and not the Constitution.

Second, judges can't save us because they have no actual enforcement power, no army or police force to effect their will. This is precisely why Democrats can and [have ignored](#) court rulings, with the Biden administration's [July extension](#) of the COVID-19 eviction moratorium perhaps the latest example.

Oh, don't blame the Democrats — unless it's for acting unconstitutionally. After all, "judicial supremacy," the idea that the courts are the ultimate arbiters of law's meaning and constitutionality, is *not a power granted in the Constitution*. Judges enjoy it at the other two branches' pleasure.

If anything, blame conservatives for claiming that unconstitutional judicial "opinions" (and that's all they are) are "the law of the land." In fact, Jefferson [warned](#) that judicial supremacy was "a very dangerous doctrine indeed, and one which would place us under the despotism of an oligarchy." He called its embrace a *felo de se* — an "act of suicide."

But just as the Supreme Court is only supreme among courts, the federal government's laws also enjoy no all-encompassing supremacy. Often ignored in the Constitution's Supremacy Clause is the statement that only federal laws made "in pursuance of" the Constitution are supreme. Translation:

Unconstitutional laws are lawless and should be ignored.

The same is true of unconstitutional court rulings.

This is done via "nullification," which Jefferson called the "rightful remedy" for all federal usurpation of states' powers. Moreover, *only power negates power*, and only chief executives — the president and the governors — have the power to enforce law. Therefore, it's not the courts but governors who are perfectly situated to counter federal tyranny.

We can't fix Washington from the top down, as Mayor Lee pointed out, because the "top" instinctively wants to stay on top. But unlike with judicial supremacy, the Constitution does explicitly grant most powers to the states. It's time to finally use them — or lose them — perhaps permanently.



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