



Written by [Joe Wolverton, II, J.D.](#) on November 4, 2010

## Republicans Sweep Into Power in State Legislatures

“The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite.” James Madison, Federalist No. 45, January 26, 1788.



With that statement in mind, it is surprising that we as constitutionalists become so emotionally and passionately involved in national politics and almost wholly disregard the result of elections held in our own backyards. If we are to remain free and if states are to fulfill their intended role as a counterbalance to the growth of the national government, then we must analyze the results of campaigns for control of the fifty state legislatures.

As was the case in the national legislature, Republicans made historic gains in state legislative races, as well. According to reports, the Republican presence in state houses nationwide is greater than at any other time since 1928.

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In Alabama, for example, for the first time since the fall of the Confederacy, the GOP controls both houses of the state legislature. In Maine, a similar realignment occurred last night as Republicans now control the state House and Senate. Both houses of the state legislative branch of Michigan saw a complete flip from a Democratic to a Republican majority. Republicans now dominate New Hampshire’s state legislature, as well, after the GOP gained over 100 seats in the House of the Granite State.

Remarkably, Republicans gained a majority of seats in the Assembly and the Senate of Wisconsin. That scenario was repeated Tuesday night in North Carolina and Minnesota. Notably, the Democratic Party has controlled the Senate of North Carolina since 1870 until Tuesday night. And in Minnesota, this is the first time since joining the Union in 1858.

Democrats lost their legislative control in statehouses from coast to coast; no section was immune from the electoral realignment fever that spread to epidemic proportions.

In Ohio and Pennsylvania, the spread of the disease was checked and quarantined after ravaging only the Houses of Representatives.

In the south, where Democrats have dominated local politics since Reconstruction, Republicans now control 18 of the 28 legislative chambers and a majority of all seats in the state legislatures. Until last night, Democrats held 14 southern chambers. To add a bit of historical context, 20 years ago, Republicans were not the majority in a single southern state legislative body.

In the midwest, long a stronghold of Democrats, only 38 percent of the region’s legislative seats their lowest point since 1956 are still occupied by Democratic lawmakers.



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Across the country, Republicans now control 55 chambers, Democrats have 38 and one is tied.

When all the ballots are counted, it is likely that Republicans will have won over 500 seats, far exceeding the former historic mark set in 1994. And, such widespread gains are nearly unprecedented, matched only by the numbers put up by Republicans in the elections of 1928.

Tuesdays results were more than just historic, however. The effect of these historic electoral victories will be felt for years into the future, as well as Republicans will now have take control of the redistricting process that will begin after the census bureau delivers population data to legislatures in early February.

After the final ballot is counted and the official results are tabulated and reported, the actual numbers will be change slightly. The irrefutable and unchangeable truth, however, is that Republicans gained seats in the state legislatures in almost every state in the republic. In fact, so complete was the Republican victory that Delaware is the only state in which Democrats may have won a net gain in both chambers, where preliminary results indicate that they netted one seat.

While the achievements of Republican candidates for state office are impressive, the attention of constitutionalists should now focus on whether these new legislators wield their new influence to reassert the sovereignty of the states and boldly refuse to cower in the face of the daunting influence exerted by the national legislature. Will these freshmen legislators spend this wealth of political capital on the vital repair of the crumbling and neglected walls of state sovereignty?

When faced with unlawful federal decrees dressed up in the robes of laws, will these representatives of the people expose them as such and ignore the mandates thereof? That is to say, is the future of the nascent nullification movement brighter now that Republicans have wrested from the other party the control of the ship of state? If not, then the switch from Democratic to Republican hegemony in the state legislatures will be no more fortuitous for our republic than would be the switching of deck chairs on the *Titanic*.



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