

## The Left's Mangled Guardrails

*di Kimberley A. Strassel*

The modern Democratic Party specializes in projection, and [Joe Biden](#) offered a model of the method in his Wednesday night farewell address. His warnings that a “dangerous” “abuse of power” is coming can only be read as the left’s latest excuse and argument for its own misbehavior.

That model proved gold for Democrats during [Donald Trump](#)’s first term as president. The constant refrain that the “tyrant” was unraveling democracy provided their justification for tearing through standards and norms. In the name of saving the country from Trump excesses, we were told, holdover acting Attorney General Sally Yates had to defy presidential orders, the Federal Bureau of Investigation needed to lie to the Foreign Intelligence Surveillance Court, a special counsel was required to dog a sitting president, the bureaucracy had a duty to “resist” Trump policy, Supreme Court nominee Brett Kavanaugh had to undergo a circus inquisition, and Congress had no choice but to hold Trump officials in contempt, issue unprecedented subpoenas and impeach the president.

None of this was good for norms, though it did serve Democratic partisan interests. The proof is that these accusations didn’t end with Mr. Trump’s exit. Mr. Biden was elected on a vow to respect norms, yet of all the many promises he has broken, his and the left’s continued ramming of guardrails may prove the most damaging in the long term. They deserve a roll call, especially as Mr. Biden continues to bathe in the illusion that his party spent four years “respecting the institutions that govern a free society: the presidency, the Congress, the courts . . . the separation of powers, checks and balances.”

In the name of justice, Mr. Biden’s attorney general, Merrick Garland, became the first in history to train his department on a former president—who also happened to be the

biggest political threat to his boss. This provoked any number of “unprecedented” moments in our country—the first-ever FBI raid on a former president, novel legal theories spun into new definitions of “conspiracy,” legal briefs filed to influence an election.

The left’s broader lawfare campaign—waged in the name of stopping a return of the “criminal” Trump—opened a Pandora’s box of complex cases, forcing courts to break new ground on issues that would have been better left unplumbed: the contours of a post-Civil War insurrection law, the edges of executive privilege, the boundaries of presidential immunity. Mr. Biden in his farewell lambasted yet again the high court’s immunity decision in *Trump v. U.S.* as dangerous. But which side dragged us into this uncharted territory in the first place?

A Democratic House used a Jan. 6 committee as its excuse to lower the bar in Congress—the first time a speaker (Nancy Pelosi) barred the minority party’s choices for a committee, the first demand for phone records of fellow representatives, unprecedented subpoenas to sitting colleagues. A Democratic Senate—on grounds it must take action against an “unethical” and “MAGA” conservative Supreme Court—normalized a call for the legislative branch to dominate the judiciary with “ethics” codes, term limits and court-packing. Mr. Biden and Democrats, amid warnings of MAGA assaults on basic rights and a “Jim Crow 2.0,” justified plans to dismantle the Senate legislative filibuster and impose majority rule to assert federal control over state voting procedures.

It was Mr. Biden—citing Republicans’ supposed mismanagement of Covid—who stripped Americans of basic civil liberties during the pandemic. Mr. Biden—citing the damage of GOP policies—who issued regulations blatantly exceeding the scope of executive power. Mr. Biden—citing the high court’s ruling against his student-loan forgiveness plan as a “mistake” and “wrong”—who thumbed his nose at a coequal branch of government, and issued the plan again. Mr. Biden—citing his “political opponents”—who rewrote presidential power with a never-before-witnessed blanket pardon for anything his son might have done in more than a decade.

The left’s guiding principle these past eight years: *In the name of saving democracy, we, the righteous, get to burn it down.* The country is fortunate that the left’s

boogeymen in fact have principles. It would be easy—and convenient—for Republicans to drive on the low road Democrats bush-wacked through the system. Yet they are preserving the filibuster, letting Democrats choose their committee members, skipping the opportunity to pack the Supreme Court with more conservatives, vowing to end weaponization of the Justice Department, focusing on passing legislation rather than ruling by executive fiat, and vowing to diminish government's power over people, not expand it.

At least for now. The unfortunate recent history of Washington is that broken precedents lead to more broken precedents. The progressive Democratic Party that bent or dismantled so many institutional guardrails will have no one to blame but itself if the trend continues. Still, Republicans would be wise to recognize the recent election results as a cry from an American electorate that is exhausted by the drama and wants the norm-breaking—and the gaslighting—to stop.