



A DCI Issue Brief

Balancing Self-Government and National Stability: The Case of Presidents, Institutions, and the People

How should democratic societies respond when elected majorities pursue actions that challenge constitutional norms, institutional checks on power, or minority protections?

Pathways Towards Self-Government

- "Governments are instituted among Men, deriving their just powers from the consent of the governed..."
- An Evolving Franchise
 - Initially post-revolution, privilege of consent/input in government reserved only for white property owners
 - Declaration, American experiment still notable new frontiers in self-government
 - Franchise expands: all white men, then all men, then women, finally all 18+
- New threats to self-government today outside of the ballot box:
 - Increased lobbying/campaign donations
 - Growth of federal/bureaucratic power moves power farther from voters

Pathways Towards National Stability

- "We the People of the United States...provide for the common defense, insure domestic Tranquility..." (Preamble)
- Initial Needs for Basic Survival as a Nation
 - Focus on common defense, domestic tranquility speaks to Founders' concerns
 - Common Defense: Fear of external threats like Britain, need for security
 - Domestic Tranquility: Fatigue from rebellions under weak Articles of Confederation, need for a government to quell such uprisings
- Expansion of the Scope of Stability
 - US asserts itself as global power, largely safe from international invasion threats
 - Can focus on other forms of stability: economics (Federal Reserve, antitrust), international relations (US as "global policeman"), democracy, etc.

Historical Interplay Between Self-Government and National Stability

- Jacksonian Democracy
 - President Andrew Jackson provokes significant expansion of white male suffrage (Under 30% in 1824, nearly 80% by 1840)
 - Jackson doesn't enforce Supreme Court decision in *Worcester v. Georgia*, giving Georgians greater self-governing power but threatening stability maintained by judicial authority
 - Jackson vetoes charter of national bank, jeopardizing economic stability but giving elected representatives more power
 - When South Carolina attempted to nullify federal tariffs, Jackson threatened military action to deliver stability at the expense of local self-government
- The New Deal
 - President Franklin Roosevelt's popular post-Depression economic agenda broadly popular (validated by 523-8 victory in 1936 election), but incites fears of instability from business elites
 - FDR exerts greater executive control over the bureaucracy: boon to self-government, but creates turbulence during regime change
 - Frustrated by Supreme Court striking down his policies, FDR vies unsuccessfully to "pack the court" with additional justices
- Post 9/11 Security Measures
 - After 9/11, Congress effectively transfers its war powers to executive branch, giving the president quicker military response time but undermining public oversight of military decisions
 - PATRIOT Act expands government surveillance powers in the name of stopping terrorism, yet limits governmental accountability to voters

The Case of Executive Orders and the Separation of Powers

- Second Trump administration sees noteworthy expansion of executive power
 - Supporters contend the support of the people, expressed via a narrow presidential victory, legitimizes bold executive action
 - Democratic advocates argue this subverts longtime constitutional norms and principles of separation of powers between branches of government
- Usage of executive orders has skyrocketed from Democratic and Republican presidents alike over the past century, but Trump's broad and frequent directives are unprecedented
 - 143 in his first 100 days, 44 more than any other president in the same period of time
- Trump clashes frequently with judicial branch

- Courts have thwarted many Trump initiatives, with the administration resisting compliance in cases like that of the wrongfully deported Kilmar Abrego Garcia
- However, Supreme Court has approved much of his executive power expansion
- Judges as obstacles stopping popular will or protectors of the citizenry from tyranny?
- On tariffs, Iran, and federal spending, Trump criticized for infringing upon Congress's authority
 - Some argue this is an effective use of a president's ability to act unilaterally to deliver action, as it is not hamstrung by the procedural obstacles of a large body like Congress
 - Others deem this a violation of the Founders' delegation of important powers to the legislative branch and their fear of power in the hands of one man
- Within the executive branch, Trump takes an outsized role in directing the bureaucracy
 - Trump administration assumes direct control of agencies that previously enjoyed a degree of independence, giving the populace greater potential input over bureaucratic affairs yet rendering them more vulnerable to an authoritarian takeover

Understanding Self-Government and National Stability

1. In the context of America's foundational values, what is a key image for you of self-government? How would you define such self-government? What are its key foundations or characteristics?
2. In the context of America's foundational values, what is a key image for you of national stability? How would you define such national stability? What are its key foundations or characteristics?
3. Are the conventional American understandings of these terms accurate? Do they err in any noteworthy ways?

Analyzing the History of Self-Government & National Stability in the US

1. Throughout its history, how has the United States navigated the conflicts between self-government and national stability?
2. Where have American legislators' approach to the conflicts between self-government and national stability been admirable?
3. Where have American legislators' approach to the conflicts between self-government and national stability been regrettable?

Considering the Case of Executive Orders and the Separation of Powers

1. In light of debates about the use of executive orders, presidential declarations of war, and other unilateral applications of executive power, how should the US navigate the tensions between populist and constitutionalist approaches to governance?
2. How should the US manage tensions between the executive branch and the court system?
3. How should the US manage tensions between the executive branch and Congress?
4. How should the US manage tensions between the executive branch and agencies?

Identifying Value Priorities in the Separation of Powers Context

1. How did you incorporate considerations of self-government and national stability into your assessment of the power allocation debate?
2. How are considerations of self-government and national stability reflected in American political figures' and the American public's approach to this topic?
3. How should we take into account the values of self-government and national stability when we engage with debates about separation of powers?
4. Should self-government or national stability be prioritized above the other in our approach to distributing power, or should they be equally balanced?

About this Brief

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The Deliberative Citizenship Initiative: The Deliberative Citizenship Initiative (DCI) is dedicated to the creation of opportunities for Davidson students, faculty, staff, alumni, and members of the wider community to productively engage with one another on difficult and contentious issues facing our community and society. The DCI regularly hosts facilitated deliberations on a wide range of topics and organizes training workshops for deliberation facilitators. To learn more about these opportunities, visit www.deliberativecitizenship.org.

DCI Deliberation Guides: The DCI publishes Deliberation Guides as a foundation for such conversations. They provide both important background information on the topics in question and a specific framework for engaging with these topics. The Guides are designed to be informative without being overwhelming and structured without being inflexible. They cover a range of topics and come in a variety of formats but share several common elements, including opportunities to commit to a shared set of Conversation Agreements, learn about diverse perspectives, and reflect together on the conversation and its yield. DCI staff, faculty, and students are the authors of these guides; generative AI is sometimes used to improve the clarity of the writing, identify errors, and provide background information, but all final text is confirmed by the authors. The DCI encourages conversations based on these guides to be moderated by a trained facilitator. After each conversation, the DCI also suggests that its associated Pathways Guide be distributed to the conversation's participants.

DCI Pathways Guides: For every Deliberation Guide, the DCI has also developed an associated Pathways Guide, which outlines opportunities for action that participants can consider that are related to the covered topic. These Pathways Guides reinforce the DCI's commitment to an action orientation, a key deliberative disposition. While deliberation is itself an important contributor to a healthy democracy, it becomes even more valuable when it leads to individual or collective action on the key issues facing society. Such action can come in a range of forms and should be broadly understood. It might involve developing a better understanding of a topic, connecting with relevant local or national organizations, generating new approaches to an issue, or deciding to support a particular policy.

DCI Issue Guides and Issue Briefs: Issue Guides are similar to Deliberation Guides but do not include the structured format for group conversations. Issue Briefs provide an outline of the main ideas that are presented in the Issue Guides. While both include a similar list of questions to consider about the topic, they are designed for personal reflection, perhaps in association with a panel or speaker event.

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