

# Could Amy Coney Barrett Appointment Lead to the Packing of the Court?



Jake MacAulay

In the past couple of weeks, we have heard a lot of noise surrounding the supreme court.

First of the topics is whether the Senate should, or even can in the first place, reject Supreme Court Nominee, Amy Coney Barrett, during a Presidential election year.

Article 2, Section 2, of the Constitution allows the President to appoint Supreme Court justices, but they may not hold office without the approval of the Senate. This Constitutional check James Madison referenced in The Federalist No. 51 as “necessary” is now being used by the Democratic party to overturn President Trumps election. And they have every Constitutional right to do so!

But aside from the constitutionality of the Senate’s decision, there is another issue that has arisen from the appointment of Amy Barrett to the Supreme Court. This issue is whether the next President in office can appoint additional Justices to balance out the roster of Democratic and Republican Justices.

The idea of appointing additional Justices to the nine sitting in the Supreme Court originated with President Franklin D. Roosevelt. You see, after a continued rejection of his unconstitutional orders, Roosevelt threatened to add new Justices to the court who would approve his orders, giving him

the power to accomplish his goals. But before he could put this to practice, the Court buckled and approved his orders.

The question before us today is this: can a sitting President actually do this?

The President has absolutely NO authority to overrule this, and, therefore, cannot legally appoint another Justice to the Supreme Court without an amendment to the Constitution. This amendment, of course, would have to be moved approved by both segments of Congress.

So, yes, with the proper process, a President could appoint additional Justices to balance out the Supreme Court as far as political party affiliation is concerned.

The purpose of the court, however, is not to be a place of balanced parties. Founding Father Alexander Hamilton postulated: “[A] limited Constitution ... can be preserved in practice no other way than through the medium of courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void.”

The underlying Judicial dilemma is that most Americans assume rulings and decisions handed down in cases that come before American courts are based on, and consistent with, “Constitutional law,” that is to say, “real law. ”

But, regrettably, this is not true.

Often times, Judges operate contrary to the Constitution and presume to mandate outrageous, anti-American motions, and, furthermore, pretend that these mandates are, in fact, law. Although connections between these actions and certain political parties may be valid, the issue is that there has been a drastic loss for American principles and we now see them replaced with un-American politics. This is the problem that requires our attention, not that of party balances.

As for Amy Barrett, again, it does not matter whether she is Democratic or Republican. What should concern us and our Senate is whether she, or any Justice for that matter, will follow the Constitution, or the sway of a political party. This must be our focus. If we lose sight of the Constitution, then we have already lost the freedom we all seek to protect.

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E-Mail Jake MacAulay: [Jake@TheAmericanView.com](mailto:Jake@TheAmericanView.com)