

Washington Examiner: Protect the Supreme Court with a constitutional amendment

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Constitutional amendments gave women the right to vote and limited presidents to two terms in office. Now we need a constitutional amendment to preserve the independence of the Supreme Court.

At Austin College, where I am a rising senior and a prospective law student, I have had the opportunity to take multiple classes on constitutional law and American political thought. In these classes, my professors emphasized that the Supreme Court is at the nexus of our great system of separation of powers and checks and balances.

I fear that by the time I graduate law school, short-sighted partisans will have damaged this institution permanently as political polarization continues to incentivize tit-for-tat escalations. As a result, I decided to do my summer internship with The Madison Coalition, a group dedicated to “restoring a balance of state and federal power” through constitutional amendments.

The preservation of our great institutions is paramount to our success as a country. As calls for court-packing have become more prevalent, I have grown increasingly worried that power-hungry politicians will follow through on their threats.

The independence of the Supreme Court is at risk.

While Democrats are unlikely to succeed at packing the court this election cycle, progressives have introduced a bill that would expand the number of justices to 13. Additionally, Senate Democrats are only a couple of votes short of eliminating the filibuster and ushering their radical agenda through Congress.

Furthermore, President [Joe Biden](#) has established a commission that is [exploring Supreme Court reform](#) . Multiple panelists at the Biden commission's June 30 meeting emphasized that "it is conceivable that we will face a break glass moment in coming years" and that we should "reserve all options as on the table," including "court expansion."

If the Democratic Party retains both branches of Congress in 2022 or wins a supermajority in future elections, an event that seems to happen once every few decades, then a nakedly partisan political power grab seems imminent.

Given these circumstances, I believe that the passage of a new amendment called the Keep Nine Amendment is critical to our nation's future. The Keep Nine Amendment simply reads: "The Supreme Court of the United States shall be composed of nine justices."

With the backing of more than 170 U.S. House members, 20 senators, more than 700 state legislators, and a growing number of governors and state attorneys general, the Keep Nine Amendment is the most widely backed Supreme Court reform among elected officials.

The amendment is also popular with the public. In 2020, the polling firm McLaughlin and Associates found that voters would support such an amendment by a 62% to 18% margin.

In the same way that a bipartisan coalition led by Texas Democratic Rep. Hatton W. Sumners, chairman of the House Judiciary Committee, stepped up to prevent President Franklin Roosevelt from packing the court in 1937, the country needs a new bipartisan coalition of leaders in Congress and the states to come together and save the least broken branch of government from partisan politics.

While ratifying a constitutional amendment is no simple task, my generation must understand how dangerous these efforts to turn the Supreme Court into a political football really are. If Democrats expand the Supreme Court to 13 justices, giving themselves a 7-6 majority, what will stop Republicans from retaliating next time they come into power?

We need to make a permanent change that will remove from Congress the ability to erode the independence of our judicial branch. That change is the Keep Nine Amendment.

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