

## Talking Turkey: Majority Rule Is a Bit of a Constitutional Myth in America

By JIM SMITH

Among the many things we have come to know about American history, thanks to Donald Trump and his allies, is that the United States of America was not created as a democracy or even as a democratic republic. The *anti-democratic provisions* of the U.S. Constitution have been exploited by the right to assure that *minority rule* remains our country's ongoing reality.

The origins of minority rule can be found in the compromises agreed to at the founding constitutional convention, which was called to replace the original "Articles of Confederation," which were tilted even more toward minority rule. Those articles gave each of the 13 original states one vote and required unanimous agreement to amend them.

The U.S. Senate, which gives equal power — two votes — to every state regardless of population, preserved that undemocratic principle. Thus we have a situation where Wyoming has the same number of votes in the Senate as California, even though the latter has 65 times the population of the former.

With the less populated states having vastly different values and politics than the most populated states, the result is what we have today, where Sen-

ators representing 40 percent of the population outnumber Senators representing 60 percent of the population.

*This will never change*, because the process of amending the Constitution also has at its endpoint a situation in which all states carry the same weight in ratifying any amendment.

The most offensive violation of voting equality is found in the District of Columbia, where 705,000 Americans — more than live in Wyoming or Vermont — have *no voting representation* in either the House or Senate.

Then, of course, we have the Electoral College created in Article II, Section 1 of the Constitution, which is anti-democratic in the number of electors assigned to each state. And it gives discretion to each state as to how it appoints its electors. All but two states have adopted a winner-take-all rule for appointing electors, which is about as anti-democratic as it can get.

But wait, there's more! The Constitution allows any state, through its legislature, to ignore the presidential vote of its population and send whoever it wants to the Electoral College. Thanks to gerrymandering, most legislatures could go completely against the will of its citizens if it so chooses.

As if the Constitution doesn't do enough damage to the principle of one person/one vote, the Senate's filibuster rule makes it impossible to pass critical legislation approved by up to 59 of its 100 members. And that's a rule which the Senate imposes upon itself. Since no law goes to the President for his signature without a vote of both houses of Congress, the U.S. Senate routinely kills legislation approved by the majority of Representatives in the House and even by the majority of its members.

So here we are. *America has a form of government that is less democratic than most countries in the "free world."* And now, as we are learning from the Select Committee on the January 6 Assault on the Capitol, the Republican Party is taking maximum advantage of the Constitution's anti-democratic provisions to cement minority rule in the United States.

What I haven't mentioned above is the origin and reasons for the anti-democratic provisions of the Constitution. It was all about white supremacy. The creation of a Senate which gave the southern slave states the same number of votes as the more populous northern states, was all about preserving slavery as a southern institution.

In my July 28, 2022, column (which you can find at [TalkingTurkey.online](#)) I describe how the Constitution was written to protect and preserve slavery. There was in fact slavery in all 13 colonies, and the majority of "founder fathers" were slaveholders. The Declaration of Independence expressed some nice sentiments and railed against King George for "making slaves" of colonists, but when it came to forming a government, the colonists chose to protect their own institution of slavery.

We are aware by now that racism is the "original sin" of the United States, and that systemic racism has been and continues to be a factor in our political life. And since any change to our Constitution must follow the rules of that document, we are in fact shackled by it into a future of minority rule.

While right-wing extremists like to brandish their AR-15s (as they did in the Michigan statehouse) and talk of civil war, they could probably relax, because our Constitution and our courts are on their side.

With the mid-terms coming up, I'll be publishing this column twice, not just once, during October. You can donate at [FundTalkingTurkey.com](#).