

Our Constitution Guarantees America Will Never Be a True Democracy

Never has it been clearer than it is today that America can never be a true democracy, because the U.S. Constitution prevents that.

It starts with the U.S. Senate, which gives two votes to every state regardless of population. Public policy scholars Michael Ettlinger and Jordan Hensley figure that in the current Senate, “41 Republican senators representing as few as 75 million people can block most legislation from even coming to a vote—thwarting the will of a group of Democratic and Republican senators representing as many as 270 million Americans.”

The Constitution did not arise from a consensus of like-minded founding fathers. Rather it was a compromise between the highly populated northern states, which wanted a democrati-

Talking Turkey



By Jim Smith

cally represented Senate, and the lesser populated southern states, wanted equal power in the Senate. We are stuck with that situation because amending the Constitution itself takes a 2/3rds vote in both houses of Congress then ratification by three quarters of the states — something entirely unlikely for such a change.

We're lucky that the U.S. Supreme Court ruled in Reynolds v. Sims in 1964 that the 14th Amendment's principle of equal protection required *state legislatures* to be based on one person-one vote. Prior to then, for example, Los Angeles County's 6 million residents had the same representation in the California Senate as did the 400 people of Alpine County. Chief Justice Earl Warren wrote the majority opinion which has led to today's practice of reapportioning both chambers of state legislatures based on population. Unfortunately, the Court could not make the same ruling for the U.S. Senate, in which Wyoming has the

same representation as the states of California and New York.

This anti-democratic distribution of political power wasn't so bad when men and women of goodwill were elected to the U.S. Senate, but today we have such conscious and conscientious ill-will practiced primarily by the right wing representatives of the less populated states against the interests of the bigger states, that it's totally disheartening.

Is this how the “American Experiment” ends? Is this how democracy dies in our country? It's hard to see any solution to what is essentially a structural flaw in our governance.

Meanwhile, back at the state level, gerrymandering has made it possible by ill-intentioned, power-hungry Republicans to solidify their control of state legislatures, such that in Texas, for example, the majority of the population can vote for Democratic candidates, but the majority of candidates elected in the same election are Republicans.

Michael Scherer of the *Washington Post* calculated that the Michigan

legislature has a Republican majority although Democrats have won a majority of the popular vote there for a decade. In North Carolina in 2018, Democrats won 51% of the popular vote but got only 45% of the seats.

Not content with the domination they created through gerrymandering, Republican-dominated legislatures in Georgia, Texas, and Florida, and other states with majority Democratic populations have worked aggressively to restrict voting rights. More than a dozen Republican-controlled states have enacted more than 30 new laws to suppress votes among heavily Democratic populations. They get away with it for one reason — because they can, pure and simple. In those states which have fraudulently created Republican control of their legislatures, the legislatures themselves manage the decennial reapportionment, guaranteeing continued gerrymandering and continued anti-democratic government.

The “arc of history may bend toward justice,” but it clearly bends against democratic rule. Sad but true.

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