

# Democratic Structuralism

Why the United States government needs restructuring to preserve democratic rule

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June 2010

## ABSTRACT

This document provides a summary of the viewpoints of Democratic Structuralism—the liberal progressive counterpart to the Tea Party—as well as outlining some of the governmental and social reforms Democratic Structuralism hopes to achieve. An explanation of why these reforms are necessary is also provided.

## Democratic Structuralism

*Why the United States government needs restructuring to preserve democratic rule "Of the People, For the People, and By the People"!*

The federalists Alexander Hamilton, James Madison, and John Jay writing as Publius to convince the electorate to adopt the Constitution rather than keep the Articles of Confederation were concerned with dressing the criticisms lodged against extensive republics and representative popular governments. Extensive republics "suffer from the diseases", to borrow the federalist's terminology, of despotism. Large republics tend to be wealthy and populous which fosters envy in their neighbors which in turn nurtures a despotic and warlike state in the republic. To preserve democratic rule, the citizenry must be patriotic, vigilant, and above all informed. However, the complexity of public affairs undermines these necessities.

The media, rightly, is the "fourth branch of government" but it too suffers from the republic disease. Corporate ownership of the media coupled with partisan politics infesting media coverage keeps the electorate ignorant. Replicated (nonscientific) surveys have shown the differences in belief between those who watch Fox News almost exclusively and those who acquire their news from competing sources. Among Fox News viewers 75% of the self-identifying Republican respondents believe that Saddam Hussein bombed the World Trade Center, and 72% believe that WMDs had been found in Iraq.

Representative popular governments suffer from additional diseases which the federalists sought to cure via checks and balances, separation of powers, an independent and effective judiciary, and by holding representatives accountable to the people. Representative governments become infected by the representatives subverting the will of the people; popular majorities ruling oppressively; and the majorities, through compliant representatives, failing to protect the common good, or enact general will. Neocon Republicans are federalist disease carriers. Under their tutelage the United States has contracted all of the aforementioned diseases. The Republican banter of "representing mainstream America" or "the moral majority" are euphemisms for their overbearing popular rule disguised as Constitutional rule. The majority "execute[s] and mask[s] their violence under the forms of the Constitution" to quote The Federalist Papers. Democracy is a rule by the many for the common good; that is the rights and well-being of all, not just an aggregate greater than 50%: "There is often a great deal of difference between the will of all and the general will. The latter looks only to the common interest; the former considers private interest and is only a sum of private wills" (Rousseau).

The Neocons wage not only an unjust war in Iraq but also an unjust war against the State—the people of the United States. This war is not fought with guns and bombs but [with conservative "lawyers"](#). (I put lawyers in scare quotes as the DoJ is now [staffed with graduates](#) from Pat Robertson's Regent University; [Regent University estimates](#) that "approximately one out of every six Regent alumni is employed in some form of government work.") The victims of these foot soldiers of war are the American voters. They use [devious tactics](#) to purge legitimate voters from the [registration ballots](#).

The federalists wrote, "neither moral nor religious motives can be relied on" as a check and balance against oppressive majorities. Religious and moral sentiments have been utilized as means of oppression and denying rights to millions of Americans. Religious and moral sentiments have been relied upon to prevent African Americans from marrying and owning property, preventing inter-religious marriages, preventing women from filing rape charges

against their husbands, to ethnic cleansing and justification for wars.

H.W. Bush stated in 1987, "I don't know that atheists should be considered as citizens, nor should they be considered patriots. This is one nation under God." Atheists, according to a University of Minnesota study, are the most distrusted sector of society ranking below homosexuals, illegal immigrants, and Muslims respectively. However, atheists comprise only 0.209% of the prison population while Christians comprise an aggregate of 79.5% according to a 1997 study (not released until 2000) conducted by the Federal Bureau of Prisons. (According to a 2002 study only about 32% of *all* inmates attend some form of religious service at least once a week.)

The executive and legislature have twice attempted to pass the Federal Marriage Amendment designed to deny millions of Americans rights and protections. G.W. Bush has stacked his Bioethics Council with religious conservatives. He also appointed Dr. Eric Keroack to head the DHHS which manages the Title IX family planning funding. Dr. Keroack disseminates false medical information—such as condoms offer virtually no protection against STDs or HPV as well as false information regarding birth control to favor abstinence only sex education.

The Executive Branch has not only kept the authority of power, the people, ignorant on important issues but also the stewards of power, elected representatives and the courts including FISA. The executive branch has refused to discuss and inform elected representatives the extent and exact nature of the domestic spying program. The executive has enacted an unjust war designed to promote the interests of PNAC. President Bush refused to release important documents to the Senate judiciary committee necessary for making an informed confirmation of SCOTUS (Supreme Court of the United States) nominees. He continues to provide information regarding the deletion of hundreds of missing White House e-mails. He refuses to allow his staff to testify before Congress regarding the firing of the "Gonzalez Nine".

The federalists realized that an effective judiciary is necessary to protect the rights of the majority impoverished from the oppressive means of the wealthy minority. The federalists foresaw that the greatest harm to the common good could come from the majority who may desire to oppress the rights of the few. The federalists argued that judicial review and judicial discretion in adjudicating individual cases gives constitutional means to void oppressive legislative and executive authority. Hence, the federalists argued for what the neocons call "activist judges".

The federalists also realized that commercial enterprise is a means to counter the republican disease of class struggle. SCOTUS in *Kelo v. City of New London* has aided in breaking the "nonaggression pact" between the economic sphere and the legal sphere by allowing the wealthy minority as private citizens to take private property from individual citizens for the purposes of acquiring further private corporate wealth. Justice O'Connor wrote in her dissent, "under the banner of economic development, all private property is now vulnerable to being taken and transferred to another private owner, so long as it might be ... given to an owner who will use it in a way that the legislature deems more beneficial to the public." Republicans opposed raising the minimum wage benefiting 6 million Americans which at the \$5.15/hour level qualify a person for welfare; yet, Republicans simultaneously promote tax breaks benefiting the top 1% of the socioeconomic class. The Department of Labor estimates that 25% of all hourly wage employees earn minimum wage. Worker productivity is up 18.4% and corporate profits are up 72%; for every 1% increase in productivity the company earns 4% in profits. CEO income is up, worker productivity is up, corporate profits are up, but [median household incomes have declined](#) in 32 states since 1999 with a national aggregate decline of 0.5%. (Republicans regained majority control of Congress in 1994 and held it until 2006.) For the first time, all 400 uber-rich on the Forbes list are

billionaires whose collective worth is \$1.25 trillion, up \$5 trillion from 2005. When government agencies report that mean wages are up it is not because middle or lower class wages are on the rise but because the Daddy Warbucks, like the Walton family who comprise five of the top ten American billionaires, keep stuffing their Princess and the Pea mattresses with the middle and lower classes' labor.

It should be painfully obvious after years of a neocon, New Libertarianism, Republican infection that the federalist treatment was not a cure. The vaccines must be strengthened to include term limits on Congresspersons, stringent campaign finance reform, an overhaul of the electoral process, prohibitions on simple majoritarian votes, and more openness and honesty in the SCOTUS confirmation process. However, many of these changes require constitutional amendments. Passing the necessary amendments, paradoxically, requires a virtuous Congress and an informed electorate.

Most importantly the people—the source of political authority, who *are* the State—must hold politicians, the stewards of democracy, accountable for their actions. Sovereignty is “immanent” to the people; meaning, power, or the right to rule, remains with the people who exercise sovereignty through mechanisms of consent (through electing representatives) and utilizing systems of check and balances.

The federalist inoculations have proven inadequate; following is a list of reforms necessary for the continued promotion of the common good. The following is called Democratic Structuralism as the movement is not only concerned with restructuring the government but with restructuring society. Democratic Structuralism means structuring society and its institutions for democracy (a rule of, for, and by the People who *are* the State where elected officials act as representatives, not trustees, of the people/State to facilitate the common good). *Democratic Structuralism is NOT a political party.*

Democratic Structuralism seeks to:

1. Remove all special interests from the legislative process. Special interest is defined as legislation that 1) affords an advantage of one group(s) at the expense of another group(s) and/or 2) affords an *undue advantage* of one group(s) over another group(s) irrespective of any consequences on the latter group(s). Special interests do not include, for example, Affirmative Action (as it is intended to be—a preventative measure—not what it has become—racial/gender preferencing).
2. Create a *fair*, not necessarily free, market economy. Economic inequality disenfranchises people from society. Economic inequality allows the wealthy to control and make decisions that promote their self-interests over the common good. A fair trade economy might look at economics completely differently. The range of salaries at a company might be flatter. Key economic indicators might emphasize workers' wages, as heavily as anything else; that is the health of the economy is measured by the purchasing power of the middle class and not by corporate profits. (Look at Ford Motor Company, Circuit City, United Airlines, etc. as examples of how companies maximize profits. The first step is to reduce benefit coverage and/or company contribution to benefits thereby shifting more costs to the worker, reducing salaries except for the CEO's who increase their salaries, and/or lay-offs.) Accounting practices might list wages as an asset, rather than a liability (as they do in Japan). Instead of tax free corporate life *and* incentives for corporations that cost us billions a year in taxes. . . that money might be reallocated to worker collectives and consumer co-ops, producer co-ops to seed their growth. Instead of bailing out failing corporations, the government might intervene and turn the corporation over to the workers. Corporations that are guilty of great abuses—such as found guilty of horrendous pollution, or manufacturing unsafe goods, or fiscal illegality/irresponsibility, etc.—might be broken into smaller operations with radically revised management options instituted. A council of local businesses and residents should

have zoning veto power over big box stores or anyone moving into a community. Instead of subsidies for new malls replacing the old malls, the new malls should get subsidies only for including locally owned businesses.

- a. In fiscal year 2009, ExxonMobile earned \$9.4 billion in *profits* yet did not pay a single penny in corporate taxes.
3. Nationalizing education should be the first of two steps (the second is some form of universalized healthcare). If "life, liberty, and the pursuit of happiness" are truly inalienable rights then it is obvious that equality of education (and universalized healthcare) is necessary for abiding in these inalienable rights.
  - a. Currently every school in America is a private school. If you are born into a family in Anacostia you cannot send your child to the Foggy Bottom school district. In order to do so, you must be able to afford to purchase a home in Foggy Bottom, pay property taxes on that home, etc. Ergo, the very structure of our educational system gives undue advantage by birth to some children *and* contributes to the cycle of poverty in other families.
  - b. At both the state and federal level, rarely, if ever, cut education spending. Cutting education spending is counterproductive and short-sighted. Education is investing in the future; cutting education funding, particularly compulsory education (K-12) values short-term financial gains over long-term, multifaceted gains.
4. No income taxes on low income families: "Low income" is defined at least as minimum wage workers. At \$5.15/hr. a minimum wage worker who works 40 hours per week for 52 weeks earns \$10,712 annually, still qualifying for welfare. Wal-Mart employees are given a welfare application in their employment application. Wal-Mart caps scheduled work hour to less than 35 hours per week so that Wal-Mart is not required to offer healthcare. Wal-Mart has closed every location, including every store in Germany, where workers have attempted to unionize. Meanwhile, the Walton family ranks in the top ten wealthiest Americans whose collective worth is greater than \$100 billion annually.
  - a. All workers have a right to unionize! Unions are collective bargaining units. Corporate officers already engage in collective bargaining without being unionized; they are called "Shareholders" and "Executive Boards". Refusing or breaking unions is simply an attempt of those with power, and collective power, to exercise that power over those either without power and/or without collective power. Any politician who opposes unions opposes worker empowerment.
5. North American energy independence emphasizing renewable, clean energy. (There is no such thing as "clean coal technology" and nuclear power is neither clean nor renewable.)
6. Ecological revalidation, elimination of toxins, reforestation, etc. All natural resources belong to the people not corporations. No sales taxes on food (grocery store) as food is a natural resource. Exceptions can be made to certain imports. Some states already implement such a policy; ironically, states with the highest poverty levels do not.
7. Redesign of the criminal justice system: *restorative* justice for non-capital offenses, no victimless crimes. Restorative justice programs are gaining prominence in many educational settings. [Restorative just works.](#)
8. Corporate restructuring (ensuring full cost economy) including economic diversification. Currently over 60% of the US economy is based upon the service

industry which tends to be lower middle class paying jobs and some sectors are dominated by illegal immigrants. (Note: the hiring of illegal immigrants is functionally equivalent to outsourcing and both are forms of wage depreciation which, as noted above, is just one tactic corporations utilize to maximize profits. Illegal immigrants provide a local market for wage depreciation when outsourcing is unavailable. Ultimately it is the corporation that is responsible for the loss of jobs as they are the ones hiring illegal immigrants or outsourcing jobs to India, China, Ireland, etc.)

9. Democratization of the American political process: Proportional representation, "None of The Above" on, at minimum, single candidate ballots; instant run-off balloting, publicly funded elections with zero corporate or PAC contributions, restoration of the Fairness Doctrine, restoration of Section 315 of the Broadcast Code, public ownership and control of the broadcast spectrum, referendum and recall in all states, debate based campaigning. Elimination of the two party system via methods already listed here (proportional representation, publicly funded elections, etc.). Elimination of the Electoral College or at minimum proportioning Electoral College votes according to the popular vote (three states currently have such laws two of which currently enact the law).
10. Elected representatives are delegates not trustees: a delegate view provides a more direct democracy as delegates vote based upon the general will which speaks to the common good. Trustees vote on the people's behalf according to their own judgment. Furthermore, no "professional, career" politicians; i.e., term limits on all elected positions from mayors and city council members to federal Congresspersons.
11. End corporate real estate speculation and high interest profiteering.
12. Repeal of the Patriot Act. Not only has the grossly misnamed "law" allowed an unprecedented expansion of Presidential powers (coupled with an acquiescent Congress and lackadaisical populace), it also perpetuates economic disenfranchisement. Due to restrictions and requirements now placed upon employment and employers many people, especially minorities and the poor, lack the resources to acquire the proper identifications necessary under the Patriot Act for gaining employment. Ironically, illegal immigrants with their networks of forgers are more capable of gaining employment than some native-born Americans.
13. Massive overhauls in ethical standards in government. Stringent guidelines mandating politicians publicly declare potential conflicts of interests.
14. Citizenship Reform: Citizenship laws are a holdover from the days of slavery. They were written to allow slaves to be (partial) citizens but to prevent them from holding public office, at least prevent them from holding the office of the Presidency. Our proposal is to overhaul these laws. Geographic location of birth is insufficient for establishing citizenship; that is, no longer is one a person simply because s/he was birthed in the United States. Children of illegal immigrants who were born here or brought here prior to age sixteen, as children lack consent, may declare citizenship at age eighteen. Furthermore, naturalized citizens after a certain period of time may hold any public office including the office of the Presidency.